

Marzani Wins New Hearing

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WEATHER
Mostly
Cloudy,
Mild

Daily Worker

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MEDINA BARS SECRET GOV'T RECORDS ON JURY

UNIONISTS SEE McGOHEY ON STACKED JURY



These are the union leaders who visited U. S. Attorney John F. X. McGahey Monday to ask that indictments of Communist leaders be dropped because workers and Negroes and Jews are kept off Federal Juries. Seated, left to right, are Thelma Dale of CIO United Office and Professional Workers Local 19; Samuel Kanter, CIO United Electrical Workers Local 475; Amelia DiZinno, UOPWA Local 16. Standing, Frank Weinheimer, UE Local 430; Henry Foner, CIO Fur Joint Board; Irving Sobers-El, AFL Bakers Local 3; Morris Cohen, Fur Joint Board; Henry Antell, CIO Furniture Local 140.

Rejects Defense Demand to Make Them Public

By Harry Raymond

A portfolio of documents, subpoenaed by the Communist leaders at the opening of the fourth week of their trial, as evidence that the federal jury system is hand-picked in favor of the propertied and rich, were declared yesterday by presiding Judge Harold R. Medina to be "confidential." He would not permit their introduction.

The outlawed documents are original working papers, communications to and from New York court officials and draft copies of memoranda dealing with a study of the federal jury system made in 1940 by Leland L. Tolman, assistant chief of the U.S. Courts Administrative Office.

Henry P. Chandler, director of the U.S. Courts Administrative Office, summoned from Washington as a defense witness, requested that the court treat the documents as "confidential" matter.

Judge Medina supported Chandler's position stating that the papers would reveal "details of administration of justice" that may be misused if made public.

Character of the information in the documents was not revealed by either attorneys for the defense, the prosecution or the judge. But it is believed the papers include letters from Senior Judge John C. Knox, who revamped the jury system ten years ago to exclude manual workers, Negroes, Jews, the unemployed, and persons in the low-income bracket.

Among the secret documents, it is believed, are statements of Department of Justice officials, prosecuting attorneys, judges from the New York district and other officials and court attaches expressing approval of the penthouse jury system.

Placed in evidence by the defense, however, was memorandum written Jan. 2, 1941 by Tolman describing

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Seattle D. A. Defies Clark; Won't Kill Stool's Perjury Case

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Catholics Want Peace, Too

—See Editorial on Page 9

Mrs. Dennis Writes to the Judge's Wife

See Page 10 for Peggy Dennis' Party Life Guest Column

Unionists to M'Gohey --Drop Indictment

A delegation of eight trade union leaders yesterday visited John F. X. McGohey, United States Attorney, in his Foley Square offices to insist that the Government drop the indictments against the 12 Communist leaders. McGohey kept a stubborn silence throughout most of the interview as he listened to the union spokesmen.

They had waited outside the police quarters on the ground floor for an hour to see him. A uniformed guard escorted them to McGohey's 19th floor office which, as one said, "is practically as big as the courtroom itself."

Sam Kanter, business agent of Local 475, of the United Electrical Workers, spokesman for the eight, told the prosecutor that the members of the various unions they represented were "shocked and amazed at the jury system here and at the composition of the Grand Jury that handed down the indictments."

DEEP SOUTH SYSTEM

Rising indignantly in the luxuriously-appointed office of the prosecutor, Miss Thelma Dale, organizer for Local 19, of the United Office and Professional Workers, told McGohey that New York's federal jury system was comparable with that in the deep South. "Rampant as Jimcrow and discrimination is in the capital," she said, "Negroes are given more opportunity to serve on juries than

(Continued on Page 11)

Unionists Write Truman on Jury-Rigging

Many members of trade unions and other organizations have protested the handpicked jury system in letters and resolutions to President Truman, William Lawrence, executive secretary of the New York Civil Rights Congress, announced yesterday.

Among the groups which have already taken action are the Greek Fur Workers Union, the 5th A. D. North and 5th A. D. South of the American Labor Party; Local 140 of the CIO United Furniture Workers and the CIO Furriers Joint Council of New York.

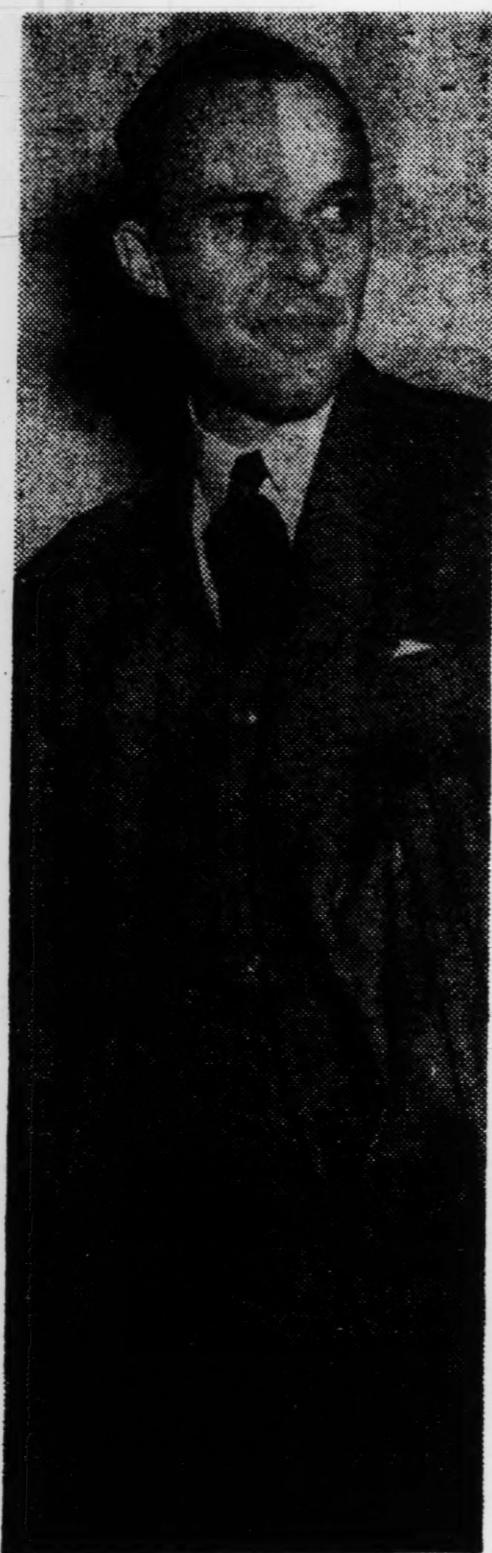
The Greek fur workers pointed out that under "the present unfair and undemocratic jury system," no labor union, Negro, worker or member of a minority group can receive an impartial trial.

"Our members work for a living," said the Furniture local, "and are as good, honest, loyal and intelligent citizens as anybody whose name is on the Social Register."

The resolution of the Furriers Joint Council called upon Senior Federal Judge John C. Knox to direct the immediate abolition of the present jury system and to establish a fair, impartial and equitable system of jury selection which will be truly representative of all sections of the people of New York."

The New York County Committee of the American Labor Party yesterday unanimously adopted a resolution condemning the practice of selecting jurors of the Federal Court District of New York

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Leland L. Tolman, of the administrative office of the U. S. Courts in Washington, who was called by the attorneys for the Communist leaders on trial here, to testify on their contention that juries here are rigged. See Harry Raymond's story on page 1.

Kuomintang Threatens Attack on People's Army

CANTON, Feb. 7.—Kuomintang Premier Sun Fo today threatened a military expedition against the People's Liberation forces, if they did not withdraw their eight conditions for peace. From the momentary safety of Canton, 700 miles south of the battlefield at Nanking, to which he had fled with his cabinet, Sun Fo abandoned all pretense of seeking peace with the People's Liberation forces.

In North Shensi, the People's Liberation radio accused acting Kuomintang President Li Tsung-jen's personal emissary as a "political broker for a United States peace offensive." The broadcast declared that if Kan Chia-hou came to Peiping with a peace mission the people might throw him out.

Sun Fo made his threats at weekly memorial services for his father, Sun Yat-sen.

Sun Fo was joined on the platform by Yu Yu-jen, president of the Kuomintang's Control Yuan. Both Yu and Sun denied there had been any rift in the Kuomintang government. Yu said there was no truth to reports he came

here to persuade Sun to return to Nanking.

The reports—denied formally by Sun yesterday—said acting president Li wanted the capital to remain in Nanking where he has been since Chiang ran out last month. The reports had said Sun and Li had "split" over the capital's location.

CABINETS MEETS

After his speech Sun held a cabinet meeting.

All ministers were present today except two—the minister of agriculture and national defense—who were in Nanking.

One Kuomintang peace mission, composed of eight Nanking professors, arrived in Peiping by plane to consult People's Liberation leaders. Five Chinese correspondents who accompanied the group were left on the airfield when the

(Continued on Page 11)

NORWAY ENVOY



HALVARD M. LANGE, arriving here to discuss the North Atlantic anti-Soviet pact with the State Department.

Assist from The Umpire

Scene at the trial of the Communist leaders:

On the witness stand is Henry P. Chandler, director of administrative office of U. S. Courts. Harry Sacher, defense attorney, asks Chandler a question.

Government prosecutor McGohey: "I don't understand the question."

Judge Medina: "Do you object to it?"

McGohey: "I do."

Judge Medina: "Sustained."

Tenants Plan Trek to Capital

Paul L. Ross, chairman of the New York Tenant Councils representing 250,000 tenants yesterday announced a Tenants Trek to Washington on Feb. 23. The trek will urge passage of a strict rent control

laws and the appropriation of funds to build 4,000,000 lowcost homes in the next two years.

Ross said that representatives from tenant and civic groups in such cities as Chicago, Philadelphia, Boston, Baltimore and Detroit would be part of the delegation. He estimated that at least 1,000 delegates would make the trip.

Ross said: "Tenants are not satisfied with the Truman administration bills on rent control and housing, which will not effectively hold rents down, prevent evictions or build the homes that are required. The plans of the Tulsa landlords and the national real estate lobby to smash rent controls must be defeated.

"Congress must declare a national housing emergency and outlaw the rights of any landlord to withdraw housing accommodations as the Tulsa landlords proposed. It must make mandatory the creation of a national vacancy listing bureau requiring all landlords to register vacant housing accommodations at Offices of Rent Control."

Congress, Ross said, must pass a real rent control law that protects tenants and includes:

- A two year moratorium on evictions.
- Reestablish rent control on all rental housing, including hotels.
- Abolish present regulations granting landlords phony "hardship" and "comparability" increases.
- Appropriate sufficient funds to enforce strict rent control.
- Restore all former OPA paint

Norway Envoy Meets Acheson

WASHINGTON, Feb. 7.—Norwegian Foreign Minister Halvard Lange and Secretary of State Dean Acheson today held a "preliminary talk" on the North Atlantic anti-Soviet pact.

Lange told reporters after the 30-minute meeting that he and Acheson "did not discuss" the Soviet note offering Norway a non-aggression pact. He said the Soviet note "is under review by the Norwegian cabinet."

Lange reiterated his previous statements that no decision will be reached during his visit on whether Norway will join the North Atlantic scheme.

A State Department spokesman said the Swedish and Danish ambassadors also have requested appointments with Acheson this week.

Guerillas Force Dutch Retreat

BATAVIA, Java, Feb. 7 (UP)—Indonesian guerillas have intensified operations throughout Java and part of Sumatra and forced the Dutch to retreat "at various places," the Republican underground radio claimed today.

The Dutch high command reported earlier today that Dutch troops were successfully continuing mopping up operations against guerillas throughout Java, and that "large scale" military operations were continuing in Sumatra.

The Indonesian broadcast claimed Dutch troops in central Java were "pinned down" around the big cities and that guerillas attacked other units moving south of Jogjakarta, inflicting heavy losses.

Franco Dooms Resistance Hero

MADRID, Feb. 7.—A military tribunal at Ocaña today sentenced former French resistance fighter Enrique Marcos Nadal to death.

Nadal, holder of French and British military decorations, was accused of planning to overthrow the Franco regime.

Three other men were given sentences up to 30 years imprisonment.

YOUTH FIGHTS 'Y' EVICTION FOR POLITICAL BELIEFS

A 22-year-old youth, threatened with eviction from the Eastern District YMCA, Brooklyn, because of his political beliefs, yesterday passed the third day of a sit-in strike to prevent his removal from his room.

The attempt to evict the youth, Jack Friedman, a member of the Young Progressives of America, came last Saturday at 1 p.m., after a week of negotiations between him and the Y's director, Mr. Cheadle. Friedman has been rooming in the Y for a year. The Y is situated on South Ninth St. and Marcy Ave. in Williamsburgh.

Learning of Friedman's membership in the YPA, Cheadle induced the youth's roommate to move into another room and then attempted to force Friedman to move to another room at a 30 percent increase in rent. Friedman refused, asking that several other youths living at the Y, who wished

to share a room with him, be given

the opportunity to room with him. Cheadle refused, declaring that the Y "didn't want any more of your kind."

During last week a delegation from the YPA visited Cheadle to protest his action. This delegation was followed by others including the Tenants Council, the American Labor Party, the Civil Rights Congress and other organizations. Cheadle refused to change his stand and was supported by his superiors in the Brooklyn Y office.

On Saturday a large delegation, headed by Mrs. Minneola Ingersoll, ALP candidate for Congress in the special election in the Seventh District, visited Cheadle, who called the police to remove the delegation.

Friedman has been fed by means of food packages, which he has hoisted with a string to his window from the street below. The packages have been provided by the YPA.

Pittsburgh Over The Top in Fund Drive

Special to the Daily Worker

PITTSBURGH, Feb. 7.—The Communist Party of Pittsburgh today sent in a check for \$1,000, completing its quota in the fund drive nine days ahead of schedule.

The \$1,000 check put Pittsburgh over the top in the first portion of the drive, which aimed at securing \$100,000 nationally in 15 days to meet expenses in the defense of the Communist Party, whose leaders are now on trial in New York. Announcing the success of the fund drive, William Albertson also pledged conclusion of the drive for subscriptions to *The Worker*.

Ask Billions More for ERP

WASHINGTON, Feb. 7.—Chairman Sol Bloom (D-NY) of the House Foreign Affairs Committee today introduced a \$5,580,-000,000 bill to continue the European Recovery Program until June 30, 1950.

Joint Senate-House hearings on the second installment of the four-year anti-Communist plan will begin tomorrow with Secretary of State Dean G. Acheson and foreign aid chief Paul C. Hoffman as the first witnesses.

Wm. H. Davis Urges Better Strike Curb

WASHINGTON Feb. 7 (UP).—William H. Davis, former chairman of the War Labor Board, told Congress today that injunctions won't prevent national emergency strikes. What is needed, he said, is specific authority for the President to take over struck property and order both company officials and their employees to "stay on the job."

Davis testified before the Senate Labor Committee at hearings on President Truman's bill to repeal the Taft-Hartley law and substitute the old Wagner Act with "improvements."

Another "family row" over the bill was aired by Robert N. Denham, general counsel of the National Labor Relations Board. A Republican appointed by Truman, Denham told the committee the COP-sponsored Taft-Hartley Act was "basically sound."

Sens. John L. McClellan (D-Ark) and Carl E. Mundt (R-SD) meantime introduced an amendment to retain the non-Communist affidavit section of the Taft-Hartley law.

Greek Consul To Be Picketed

A picket line at the Greek Consulate was called yesterday for Feb. 17 by the American Council for a Democratic Greece. The pickets will protest the action of the Athens government in re-trying three Greek trade union leaders whose lives were saved last November through the intervention of the United Nations.

Disregarding the intervention of the UN, which was taken under the leadership of Australian Foreign Minister Herbert V. Evatt, the Royalist Government has started a new trial of the three men, in violation of Greek law, in an attempt to re-impose the death sentence. The Council also announced a mass rally on Feb. 28 for Peace in Greece. It will be held at the City Center Casino.

Marzani Wins New Hearing By U. S. Supreme Court

Daily Worker Washington Bureau

WASHINGTON, Feb. 7.—Carl Marzani, whose conviction on Government charges that he allegedly made false statements to a superior State Department officer was upheld by the Supreme Court recently, was today granted a new opportunity to argue his case before the High Court.

Supreme Court officials announced that Marzani's case had been restored to the docket for reargument.

The court had upheld Marzani's conviction last December by a four to four tie vote, with Justice William Douglas taking no part in the case.

Douglas did not participate in today's court decision to review its earlier ruling.

Marzani, one of the first victims of the Truman loyalty program, was indicted Jan. 17, 1947, on 111 counts under a law known as the "fraud upon the government" statute. Specifically he was charged with having concealed membership in the Communist Party.

He was sentenced on June 27, 1947, by Federal Judge Richmond B. Keech, to from one to three years in prison. His conviction followed a seven-week trial in which the only witness against him were police spies, George Hewitt, Louis Harper and Archer Drew. Hewitt has been charged with perjury by the authorities in Washington State and Drew was an admitted under-cover agent for the New York police department.

Marzani filed an immediate appeal, but the U. S. Court of Appeals on Feb. 2, 1948, upheld the sentence against him, but invalidated nine of the 11 counts of the original indictment.

A second appeal in the Court of Appeals was lost by Marzani when the court held that he could be prosecuted for any fraudulent statements, whether under oath or not. He then appealed to the U. S. Supreme Court and was granted a review on June 22, 1948.

The high court split 4-4 on the Marzani case in decisions rendered Dec. 20, 1948.

Marzani was born in Italy, coming to America as a child. He was graduated from a Scranton, Pa., high school and later received degrees from Williams College and Oxford University.

During the war, working with the Office of Strategic Services, Marzani helped pick the targets for the Doolittle raid on Tokyo. His work for the Army for four years



CARL MARZANI

was specialized and responsible, making maps, charts and movies, for which he won official commendation. After his discharge from the army he was retained by the government until his resignation on Dec. 20, 1946.

Nazi Magazine Sold in U. S. Zone

A German magazine published in Switzerland and devoted to reviving Nazism is being sold openly at many newsstands throughout the U. S. Occupation Zone. Dr. Robert S. Marcus, political director of the World Jewish Congress charged yesterday. In a letter to Brig. Gen. Charles Saltzman, assistant secretary of State, Division of Occupied Areas, Dr. Marcus pointed out that British Occupation authorities have banned the magazine, *Neue Politik*, because of its anti-Semitic character, and asked that it be banned from the American Zone.

According to a survey conducted by Swiss authorities, more than half of the 18,000 copies of each issue of *Neue Politik* are being sent to Germany.

O'D Asks U.S. Intervene for Mindszenty

Mayor O'Dwyer yesterday joined the howling chorus in behalf of the treasonous Cardinal Mindszenty and called upon Secretary of State Dean Acheson to use his office to interfere in carrying out of any sentence passed by the Hungarian democracy.

At a press conference earlier in the day, the Mayor agreed heartily with Cardinal Spellman who on Sunday used his pulpit to beat the drums against the eastern democracy and the Soviet Union.

In his wire to Acheson and his statement to the press, O'Dwyer made much of "democratic" trials now taking place against the 11 Communist leaders, completely ignoring the rich man's grand jury system used in the Southern District of New York.

Attlee Nixes Peace Parley

LONDON, Feb. 7.—Prime Minister Clement R. Attlee turned down coldly in the House of Commons today a suggestion that he invite President Truman and Premier Joseph Stalin to hold a personal talk here on world peace.

Three Labor members of Commons and a leftwing independent asked Attlee to "do something" to bring east and west together.

Laborite Ronald Chamberlain asked Attlee whether, in view of the "apparent" willingness of the President and Stalin to meet somewhere, some time, the British government would arrange for a meeting here.

Hints Contractors, Army Tieup

WASHINGTON, Feb. 7.—Former President Hoover objected today to efforts to exempt certain Federal agencies from his proposed reorganization plan. He advised a Congressional investigation at once into a "very great propaganda" campaign to exempt the Army engineers, which he suggested might be inspired by private contractors.

At the same time the Hoover commission submitted its first recommendations to Congress on the executive branch.

Mindszenty Verdict And Sentence Due Today

BUDAPEST, Feb. 7.—Joseph Cardinal Mindszenty, 56, waited in his prison in the People's court tonight for his summons at 9 a.m. (3 a.m. EST) Tuesday to hear a verdict and sentence, possibly death, pronounced against him for treason, espionage and black marketing.

The Cardinal will be accompanied by the six co-defendants who have stood with him before the five people's court judges dur-

ing the three days of the trial. One by one, the seven men will hear the charges, verdicts, sentences and then the lengthy legal explanations.

Death by hanging, "the heaviest punishment" was demanded by the prosecution.

Under Hungarian law the defendants can appeal any sentence to the Supreme Peoples' Tribunal. A death sentence also can be appealed to the President of Hungary if the supreme tribunal approves.

All the defendants except Prince Paul Eszterhazy face possible death sentences for treason or conspiracy against the government.

Eszterhazy, at the time Hungary's biggest landowner, was accused of buying dollars at black market rates, failing to report his speculation and contributing financially to the conspirators.

Hungary tonight firmly rejected

a British protest that Britain and other nations had been barred from the trial and that the trial itself possibly violated the Hungarian peace treaty guarantees of personal liberties and religious freedom.

Foreign Minister Laszlo Rajk's reply to British Minister A. K. Helm charged Britain with failure to "maintain even the semblance of impartiality" prior to the trial.

"My government has to regard this attitude of the British government as a highly adverse act directed against the Hungarian Republic (and) as an attempt on behalf of the British government to render assistance to the fascist enemies of the Hungarian democracy," the note said.

The note rejected Britain's reference to the peace treaty as "an arbitrary and unfounded interpretation." (Continued on Page 11)

Point of Order

By ALAN MAX

FROM PRESS descriptions of Cardinal Mindszenty's healthy appearance, it is apparent that what they fed him in prison was not drugs but vitamins.

Rigged Jury System Exposed In Senator Langer's Speech

(The text of Sen. William Langer's speech last week on the floor of the Senate exposing the undemocratic Federal jury system.)

Mr. President, on Thursday, I called to the attention of this body the statement made by Federal Judge John C. Knox that he handpicks the jurors in his district, and intends to keep on doing so. I expressed at that time my aversion to having jurors handpicked by judges, or for that matter, by anybody else, and I pointed out how historically miscarriages of justice have resulted from jury packing.

Since then I have taken a little time to look into the way Judge Knox handpicks jurors, and what the consequences of his selection are. As Senators know, Judge Knox is senior judge of the U. S. District Court for the Southern District of New York, which is our biggest and busiest Federal Court. I felt that making this investigation was my simple duty as a U. S. Senator, as a member of the Committee on the Judiciary, and as a plain American citizen who happens to feel, along with the framers of our Constitution, that a fair and impartial administration of justice calls for juries selected, without hand picking, from a representative cross section of the people.

I was personally shocked by the facts that I learned in the course of this investigation. But beyond this, these facts are of such great concern to the integrity and reputation of our judicial system, and thus to our democracy itself, that it is time they were fully revealed to the Senate and to the American people.

DISCLOSES RECORD

But let me first disclose where the record of these facts can be found. Judge Knox's jury selection system is described in a memorandum of Jan. 2, 1941, written for the Director of the Administration's Office of the United States Courts by Leland Tolman, assistant chief, Division of Procedural Studies and Statistics. On Feb. 5, 1941, Henry P. Chandler, the Director of that Office, sent copies of this memorandum to all United States circuit and district judges, and I have one of them in my hand, over the signature of Mr. Chandler.

In addition to this, a statistical analysis has been made of this system in operation, verified by affidavit, in a petition filed recently in the U. S. Supreme Court by the attorneys for the 12 Communist leaders who are now on trial in New York.

Just so that there shall be no mistake I repeat now what I said on Thursday, that I care not who a defendant may be and what the offense alleged, whether it is murder, arson, or robbery, whether he be Democrat or Republican or Communist, he is entitled in a United States court to a jury that is impartially and honestly picked. If some think differently, remember that Judge Knox's handpicked juries serve in all jury cases in his district, civil and criminal, whether the parties are radical or conservative, or whatever you please, in their political and economic beliefs.

But to get back to Judge Knox's jury-selection system. It seems that about 10 years ago Judge Knox decided that the jurors serving in the southern district of New York were an inferior lot. The jury rolls, it seems, included a lot of relief workers and housewives. Of course this is hardly cause for amazement. In those days there were many relief workers in New York City, and there were then and still are plenty of housewives.

But to Judge Knox, apparently,

relief workers and housewives, no matter how big a part of the population they are, are not suitable for jury service. Why, I do not know. Perhaps he thinks that poor people and housewives are just naturally inferior, or perhaps they did not convince enough defendants to suit him. Anyway, Judge Knox decided to get jurors of "better quality."

CONNECTIONS

The first thing Judge Knox did to serve this purpose, says Mr. Tolman's memorandum, was to appoint as jury commissioner an attorney who "has good business and social connections." Then, says the memorandum, which I have here, "he also arranged for the appointment, as deputy jury clerk, of an energetic young man of pleasing manner, who is a good judge of character, and has a thorough practical knowledge of the social, racial, and economic groups of New York City and their geographic distribution."

These, then, were the men who were to carry out Judge Knox's endeavors to get quality jurors, and I call attention to what their assets for this job were—"good business and social connections" and knowing the geographic distribution of the "social, racial, and economic groups of New York City."

Judge Knox now had the right kind of people to do the picking. Now he had to see that they had the right kind of people to pick from.

Until then, in the southern district of New York, the names of jurors had been picked primarily from the registry list of voters. But to Judge Knox this was an unsatisfactory list. They are just the people who decide who shall be our Senators and who shall be our mayors and our governors. They are just the people who pick the persons who pick our Federal judges. They are the people who pay our salaries, and Judge Knox's. To. They are the people the Government is supposed to represent.

In short, they are the American people. But the people are not good enough for Judge Knox. He has to have the better quality for jury service in his district.

SELECT JURY LIST

According to Mr. Tolman's memorandum, therefore, the voter's



SEN. LANGER

registry list was supplemented by drawing from more select materials. What were these? Who's Who in New York, Poor's Directory of Directors, the Engineers' Directory, the Social Register, and various college and university alumni directories. Note the various. Mr. Tolman does not tell us, but we can guess, that to Judge Knox the alumni directories of Princeton or Dartmouth are better source material than those of the City College of New York or New York University.

Even more important than these books of the aristocracy is the subscription edition of the New York City telephone directory, which is arranged by street numbers and location rather than alphabetically by names. This directory permits the deputy jury clerk—you remember, Judge Knox's energetic young man of pleasing manner—to use his thorough knowledge of the geographic distribution of the social, racial, and economic groups of New York City to pick out the names of those who live in higher-class residential neighborhoods. In addition, this young man adds names of citizens who are personally known or introduced to him as good potential jurors. Relief workers and women were simply eliminated as volunteer jurors. If anyone has any doubt about it, I have a copy of the original memorandum here in my hand.

Now of course this so-called system of supplementing the registry list of voters does not really supplement the list at all. Those residents of New York who are in Who's Who, the Directory of Di-

rectors, and even the Social Register, are, by and large, also on the voters' registry list. The fact is, then, that these names are not added to the list; they are selected for preferential attention.

INTERVIEWS JURORS

But just to make sure that no unsuitable people slip through, the jury clerk calls in and interviews each person whose name he puts on the list of prospective jurors. Only those people whom he is satisfied with following the interview, are finally qualified as jurors. At the same time the jury commissioner—the man with the good connections—persuades personnel officers of large corporations to allow their employees to perform jury duty without financial loss. In other words, Judge Knox is willing to have on his juries lesser employees than executives, provided they know they are being paid by their big corporate employers during their service.

The consequence of all this is that the selection of the juries in the southern district of New York represents a deliberate and systematic exclusion of all but a token few of the lower-income groups and of those persons who are without social graces valued by Judge Knox, in favor of an elite class.

According to a verified petition filed with the Supreme Court, an analysis of the jury lists in the district over a period of nine years shows that 45 percent of the jury panel were executives, although they represent only 9 percent of the population. Twenty percent of the panel were professionals or semi-professionals, although they were only 11 percent of the population. Clerical and sales employees, largely drawn from a few big corporations, made up 30 percent of the panels; they were 25 percent of the population. Manual workers made up only 5 percent of the panels, although they were 55 percent of the population.

I quote from the document sent out through the Administrative Office, from the Supreme Court Building in Washington. What do we find? This document is dated the 5th day of February, 1941. We find about 2 percent of the names in the wheel are unemployed or retired. Eighty-eight percent are

business or professional men. Ten percent are women.

The same verified petition also shows that the juries were loaded with persons who resided in the most exclusive neighborhoods. The so-called "silk-stockings" district, the 17th Congressional District in Manhattan, supplied 56 percent of the members of six panels which were studied, although the district cast less than 20 percent of the vote in Manhattan alone in the 1948 elections.

These same panels drew only 10.2 percent of their membership from the 18th, 19th and 22nd, 23rd and 24th Congressional Districts taken together, although these districts accounted for 42 percent of the vote from both Manhattan and the Bronx. These latter districts contain mostly working class people, including Negroes, Jews, citizens of Italian descent, and Puerto Ricans.

OFFENSIVE SYSTEM

Mr. President, this system is not only offensive because of its snobishness. It is a conscious selection of jurors on class and racial bases, and the result is that the so-called justice which is handed out in that district may be characterized as class and racial justice.

It is only natural that jurors tend to place greater credence in the testimony of people of their own kind. The whole purpose of the constitutional guaranty of a fair and impartial jury, representative of the community, is to offset the prejudices or predilections of particular groups.

Only a fair cross-section of the community will assure a fair and impartial trial in which evidence will be weighed according to the common judgment of the people, on its merits alone. It is perfectly clear that the system prevailing in the Southern District of New York, and perhaps in many other places is calculated to avoid juries which are truly representative.

To the people of the world, Mr. President, we boast of the superiority of our government. We claim we are a democracy in which all people are free and equal. We profess equal justice for all regardless of race or creed or economic status. How can we reconcile these assertions? (Continued on Page 10)

Bill Rust: An American's Recollections

By Joseph North

A few minutes after the cables carried the news that William Rust, editor-in-chief of the London Daily Worker had died, thousands of Americans grieved. There were those who had met the bluff-hearty Englishman in Spain; others knew him through his eminent work as a Communist journalist and political leader.

I knew him as all these things and as a great Englishman. To me he was the real England. It is a travesty of truth to portray Winston Churchill as the symbol of Britain, a grotesque libel out of imperialist imaginations.

Rust was as English as a mug of ale. And, as I came to know him in Spain, his was the blend of practice and culture that is the working class intellectual. He loved to talk of Shakespeare and Milton, and he was an authority on the world textile trade.

I later spent many hours with him in London, and it is hard to believe that this spirited man with the ready laugh and the quick Cockney quip is dead. Dead at 45.

I knew him as a tireless worker

in Barcelona in the grim, last days of the war in Spain, and I recall how the lads of the British battalions came to him as a jolly father. His lusty laughter used to echo through the halls of the cold, dark hotel where we stayed.

I remember that never did he lose his dry, matter-of-fact humor through the troubles he encountered, and they were, as you may imagine, many.

THOROUGH STUDENT

I remember, too, that he was a man of great political sagacity and a thorough student of Marxism. Many a time I would come into his room, late at night or in the early morning, and there by candlelight in the heavily curtained rooms he pursued his studies. Those were the days of the continual air raids and no electric lights were permitted after dark.

I met a seaman yesterday who had worked with Bill in Manchester, and his recollections jibed with mine. He recalled a tireless man with a ready wit, vastly resilient,

shrewd, quick-witted under all adversity.

The seaman recalled how Bill had organized the sales of the Daily Worker in Manchester, back in 1935, and "went out on Oldham St., our main drag, with bundles of the paper under his arm to sell." He was a charter member of the British party, the seaman said, and had become a Communist in his teens.

The seaman said there had been trouble in Manchester with the British fascists, who had a way of charging down upon a lone Communist and giving him the works under the eyes of complacent Bobbies. "But Bill changed that, and after a while the circulation of the Worker boomed in the textile city."

LAST RECOLLECTIONS

My last recollections of Bill were from London in early 1945, when we walked through the blitz of buzz-bombs to Prof. J. B. S. Haldane's home, where he was living.

At Haldane's we discussed science, politics, drank the wartime ale and afterward Bill sang innumerable ditties from his vast repertoire of British working class songs. It was an evening off from

his arduous tasks as editor of the Communist paper, which rose to a circulation of well over 100,000 despite all the tangles into which the authorities got it. I recall the admiration they felt on Fleet St. for the Communist editor.

In London I observed how he came to work early and stayed late: his doors always open to staff members for suggestions, criticism, proposals. He took criticism and he dished it out: cheerfully, yet seriously. Though a jolly, seemingly happy-go-lucky man he had a way of getting tough when toughness was needed.

Afterward, those with whom he got tough would meet him in a pub around the corner from the Daily Worker offices and drink those flagons of ale that seem bottomless to an American. Everybody seemed to know him by his first name—the tram driver, the conductor, the barmaid, the Bobby.

I would have thought this was the frame that could last a century: but the grueling work took him in his prime—45.

Though this man died in London it was America's loss, the world's. A valiant, happy, tireless man was gone.

A Communist.

Tomorrow's China

By Anna Louise Strong

Military Balance Sheet



ACTION PHOTOS of Chinese People's Army show, top left, a group engaged in target practice; top center, a People's Army commander; top right, machine gun battalion drawn up for a march; bottom left, medical corps detachment at a base hospital; bottom center, captured Japanese flags; bottom right, battalion drawn up for inspection.

Anna Louise Strong, world famous reporter, is the only foreign correspondent to have interviewed Mao Tse-tung and other Chinese Communist leaders since 1946.

Below is another instalment of her vivid, on-the-spot descriptions that tell what made this victory possible and what the people are accomplishing in the newly liberated areas:

I FOUND it irritating at first to hear the Peoples' Armies counting their "victories" while Chiang was steadily taking their county towns. I discussed their strategy with the chief of staff of Liu Po-cheng's area, in Wu An county, in late 1946. Chiang had taken 25 county seats in this area, yet the People's Army talked of victory.

"What victory?" I demanded. "Isn't Chiang taking your towns?" "Certainly," they replied, "but this is very good for us. We have traded these towns for 60,000 of Chiang's men. . . . But that isn't all. The towns Chiang takes begin to fight for us. It works like this."

Chiang sent 500,000 men against our area. We have only 300,000 in our regular army in this area, and they are much worse armed than Chiang's. But when Chiang takes towns, he must tie up men to garrison them. The 25 cities he has taken have tied up near 200,000 of his troops, besides the 60,000 we killed or captured. We ourselves never tie up men in garrison duty for this is done by the local militia. So now we have already more active forces in the field than Chiang has, and shall soon be ready to counter-attack."

Sure enough, they did counter-attack and got not only Chiang's troops but all of the cities back! The Peoples' Armies avoid battle until they feel sure that they will win. They plan to fight only when they can surround the enemy suddenly with overwhelming force. By their superior information, the use of forced marches, and the help of local militia, who can be mobilized quickly in large numbers for short engagements and then sent home, they seek to create special areas in which they can attack with several times the force the enemy has.

THE BALANCE SHEET of this strategy is the harsh, practical budgeting of the poor. "We cannot afford a battle in which we merely repel the enemy," they said to me often. "He will only return

with fresh munitions while we have used up ours. We must only accept battle when we can gain in men and munitions, coming out of the battle with more men and munitions than before." This sounds like an incredible balance-sheet, but it worked.

When the Peoples' Armies finally give battle, the typical form is the surprise encirclement. An example was given me by Colonel Chang Tse-chang, chief of staff of the forces which successfully encircled Chiang's "First Division" in South Shansi.

For six months Hu Tsung-nan, one of Chiang's ablest generals had pushed up the railroad into South Shansi. The regular forces of the Peoples' Armies retreated, taking the rails with them into the hills. By autumn General Hu held quite a stretch of railway line—without the rails. He itched to come to grips with that elusive "Communist main army" and finish it once and for all. So the Communists allowed word to reach him that their main force were at An Tze, some seventy miles northeast.

General Hu sent three divisions converging on An Tze. Fifteen miles out from his headquarters he lost his First Division, the flower of Chiang's American-equipped troops!

The regular forces of the Peoples' Armies had been much nearer than An Tze. They lurked close outside of General Hu's headquarters, informed of all his moves. When the First Division camped on its first night out, the regular armies, augmented by local militia, swept around it, isolating it and attacking with machine-guns and small artillery.

The division commander radioed for help. No help reached him, for all the forces that might have been sent to his aid found themselves suddenly attacked by local "peoples' militia," which were not strong enough to "annihilate" but plenty strong enough to hamper and detain. The isolated First Division fought for 24 hours and then surrendered, losing 1,600 killed and wounded and 5,700 captured.

The 5,700 prisoners marched north on the dusty road, wearing their American-made uniforms, and those "garrison hats" that look so natty in American magazine pictures. The Chinese peasants mocked them as they passed.

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ica soldiers, come to kill Chinese people." By the end of the day the soldiers had thrown all their garrison hats away and were begging for the practical inconspicuous caps of the Peoples' Army! Within another week it is safe to say four-fifths of them had entered the People's Army as new recruits.

IN CHOOSING which enemy detachments to encircle, the Peoples' Armies usually pick the best armed. They do not like to fight General Yen Huushan, of Shansi, because his troops are so poorly equipped that "there is no profit in capturing them." They prefer American-equipped divisions. Liu Po-Cheng's men had a competition between detachments as to which could capture the most American arms.

A former Kuomintang officer reported in a Hongkong paper that the Peoples' Armies had encircled and captured two American-equipped divisions near him, but had sent a consoling New Year's greeting to his division: "Do not worry. You are not our objective for you have no American arms!"

THE LARGEST encirclements took place in Shantung. Chiang's losses there were fabulous in the first year of civil war. A single encirclement is said to have cost him 57,000 men.

While Chiang's attention was concentrated on taking the Communist capital, Linyi, the Communist-led forces abandoned Linyi, and went north by forced marches, mobilizing tens of thousands of the local militia as they went. They fell upon Chiang's northern column of seven divisions, trapping it in a narrow valley five miles long between high cliffs. Fierce battles continued for 65 hours after which all that was left of the seven divisions surrendered. With them was captured General Li Sien-chow, deputy commander of Chiang's entire Shantung offensive.

The captured General Li later gave an interview, blaming Chen Cheng, Chiang's chief of staff, for leaving him in the lurch. Chen Cheng got a prestige victory—his taking of Linyi made headlines even in the American press—but the Communist actually gained strategically. By that prestige victory, Chiang lost not only 57,000 men, but the control of the strategic Tsinan-Tsingtao railroad, on whose use he had relied to pry

Seattle DA Defies Clark In Hewitt Fix

SEATTLE, Feb. 7.—King County prosecuting attorney Charles Carroll today revealed that he was visited at his home by two Justice Department representatives who "suggested" that he drop the perjury case against George Hewitt, professional anti-Communist witness. Hewitt is to testify for the government in the case of the 12 Communist leaders, it is understood.

The D. of J. men were accompanied by a reporter for the Seattle Post-Intelligencer, Hearst paper whose managing editor, Carroll revealed, has threatened to "blast me out of office" if the charge is pressed.

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"I had an open mind on the Hewitt case when all this hubbub started," he said. "Now there is no question about it—I am going to prosecute it. My office is not going to dismiss a criminal action because of pressure brought by anyone or any newspaper."

The case exploded into a first class political scandal when County Commissioner Dean McLean publicly demanded Carroll's resignation on the ground that he had not kept a promise made to certain government officials to quash the case because it would "function as a smear on Hewitt's credibility as a witness. . . ."

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CLARK ON SPOT

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"I have attempted," the prosecutor said, "to contact the attorney general of the United States to ascertain what, if any, interest he or his department has in this case but up to the present time

open the great north-south Tientsin-Nanking line.

The American correspondent, Betty Graham, who reached the scene shortly after one of the Shantung encirclements, saw the "great heaps of American-made equipment," the "cocky young village militia" who had come from scores of villages to help, and who were returning home laden with arms, and "tens of thousands of prisoners" filing to the rear. Later the UNRRA workers in Shantung reported seeing these same prisoners, disarmed and released, hiking home across country. Their captors had given them "travel money" and told them: "Go home, there are too many of you for Shantung to feed!"

"Mobile warfare," not guerilla warfare, was the way one Chinese People's Army leader described the army's tactics. What that meant is told in tomorrow's installment.

have had no reply from him or his office."

Carroll has made it plain to friends that he will not "go out on the limb" merely on a verbal request from the Justice Department agents.

Pickets Protest Theatre Bias

By John Hudson Jones

An inter-racial picket line protesting job bias at the RKO Hamilton theater, 146 St. and Broadway was broken up Saturday afternoon by 30th Precinct police. Sponsored by the Peoples Committee Against Discrimination, 702 St. Nicholas Ave. the demonstration demanded Negroes be hired to fill the next vacancies.

The demonstration was called after repeated attempts to see the manager, Phillip Nemirow, failed. Two assistants told delegations on several occasions no discrimination existed since the theatre has Negro porters and employs Negroes in other jobs.

The theatre management admits however that 85 percent of its patrons are Negroes. However it employs no Negro cashiers, ticket takers, or ushers.

When the picket line began growing above a score of marchers, police showed up and broke up the line after consultation with the manager. The picket line resumed later.

Represented at the demonstration were the Tom Paine Club of the Communist Party; New World Club, Young Progressives of America; United Harlem Tenants and Consumers Organization; Robert New Club, YPA; Harlem Civil Rights Congress; and City College student section of the Communist Party.

ONLY

5

DAYS LEFT

to complete The Worker's Subscription Drive Goal of 40,000 new readers. Answer the heresy trial of the 12 by completing your branch, county and state quotas THIS WEEK.

LET'S GO!

ALP Asks O'Dwyer to End Silence on Dewey Budget

The American Labor Party yesterday called upon Mayor O'Dwyer to "end his silence on the Dewey budget and to speak out for an increase in state aid, repeal of the local tax program which hits the low income groups unfairly, and revision of the budget to meet the people's needs."

Arthur Schutze, ALP state executive secretary, stated in a telegram to the Mayor:

"The people of this city are shocked by your failure thus far to take any action in the vital matter of the budget."

"Your continued silence can only be taken as approval of the proposed Dewey budget. More particularly, it will mean your support of continuing the unfair local taxes instead of increased state aid for hard-pressed cities."

"The New York State Conference of Mayors has gone on record for doubling state aid. How do you stand on this?"

"Your silence is further alarming with regard to the failure of the Dewey budget to provide for adequate child care centers, cost-of-living salary increases for teachers, and decent wage scales for state civil service workers."

JOIN PEOPLE

"The American Labor Party urges that you join the people who, regardless of political affiliation, are uniting to demand a people's budget."

"Moreover, as you know, the date of the public hearing on the budget in Albany has been set for Feb. 16. This week-day has been selected in order to deprive teachers, housewives and others of a chance to be heard on this vital matter."

"The American Labor Party urges that you join in the demand that the hearing date be changed to Saturday, Feb. 19 and that you speak up, unmistakably, for increased state aid."

Jobless Man Gets No Help On Eviction

Frank Skolnik, disabled and unemployed watchmaker, was advised yesterday by the Department of Welfare to seek refuge in the Municipal Lodging House, if his landlord, Max Fernbach, persists in evicting him. Accompanied by four representatives of community groups, Skolnik, of 308 W. 15th st., who faces eviction momentarily was informed at the 57th St center of the Welfare Department that it would pay his two months' back rent amounting to \$76.

Department workers, however, made no promise to reinstate the unemployed worker on relief and warned him to "work cooperatively" with its employment office.

He was told that he would have to take care of his own legal fees and that henceforth he could not be accompanied by friends or spokesmen for community groups. Only one of the four spokesmen with him yesterday was permitted to speak. The Department would take no action in asking the landlord to call off the eviction.

When it was brought to the attention of the investigator that Skolnik had no food, he was informed that he would be granted a week's supply.

The group later went to the landlord who resides at 308 W. 15th St., but he could not be deterred from his decision to evict Skolnik.

A spokesman for the Legal Aid Society informed the unemployed worker last night that it would try to use "moral persuasion" with the realty owners in order to call off the eviction. However, he was advised to abide by the decision of the Welfare Department.

VIRGINIA VETS SPURN 2 SOVIET TRAITORS

RICHMOND, Va., Feb. 7.—War veterans in this state want no part of the two Soviet traitors who stole a plane to flee into the arms of the U. S. Army. The two, Peter Perogoo and Anatol Barsov, are making a propaganda tour of Virginia under auspices of the State Department.

A Portsmouth chapter of the Amvets protested the use of "tax-payer's money for the benefit of a pair of fugitive fliers."

In Richmond, the executive committee of Virginia Amvets made a similar protest. Dan O'Flaherty, Amvet vice Commander, said "we object to any official joy ride for any aliens not authorized by their country as ambassadors of good will."

Czech Tractor Stations Set Up

PRAGUE, Feb. 7 (Telepress).—A national enterprise for the mechanization of agriculture, just set up by the Czechoslovak Government, will organize machine, tractor and repair stations in all districts throughout the country. The stations will assist small and middle peasants and will train young peasants in the use of agricultural machines.

Agricultural machines and tractors which are privately owned can be confiscated and given to the national enterprise if the owners do not fulfill their quotas or if the machines are not made full use of.

Urge Truman Accept Stalin Bid

A group of prominent artists, educators and intellectuals yesterday sent a telegram to President Truman urging him to "accept Premier Stalin's bid to discuss the problems that are now blocking the path toward real peace," according to the National Council of the Arts, Sciences and Professions.

Signers include: Ralph Alswang, Jerome Chodorov, Rev. John W. Darr, Jr., Martha Dodd, Dr. W. E. B. DuBois, Howard Fast, Irwin Freundlich, Shirley Graham, Robert Gwathmey, Dashiell Hammett, Minna Harkavy, Lillian Hellman, Bernard L. Klein, Clyde R. Miller, Samuel A. Neuberger, O. John Rogge, Leo Sabinson, John Sloan, Moses Soyer, Raphael Soyer, Paul Strand, Louis Untermeyer, Max Weber and Dr. Gene Weltfish.

200 Professionals Plan to Back '12'

Over 200 persons last night attended a meeting organized by the New York State Council of Arts, Sciences and Professions, to plan action in support of the 12 Communist leaders now on trial.

Among those scheduled to speak, as the Daily Worker went to press, were Abraham Unger and Morris Sugar, attorneys and Howard Fast, novelist. Millard Lampell, playwright, was chairman. The meeting was held in the Woodstock Hotel.

200 Professionals Plan to Back '12'

The tenants also asked that priority in other projects be given these tenants, that tenants not be forced to accept sub-standard dwellings, and that there be no evictions.

When contacted yesterday, CHA officials declared that the entire site has not yet been acquired. They did say, however, that the tenants at 216 W. 129 St and 200 W. 128 St. have been served with "routine eviction notices." A project management office has not yet been established.

Herbert Whiteman, UHCTO president, declared yesterday:

"The people in that neighborhood are going to fight for decent relocation. Their plight now is just an indication of the city's inadequate approach to housing in general. Being Negro people in Harlem they will get it in the neck harder if we don't protest in

SHOT IN MOVIE



Edward Ryan, 10, shows where he was shot by a companion in a movie house here. The other boy had been excited by the anti-Soviet, anti-Communist FBI film, 'Walk A Crooked Mile.'

14 Hurt in Crash on 'L'

A collision of a passenger local on the Third Avenue "L" and a collection train at 4:10 a.m. yesterday morning caused slight injuries to 14 persons. The train was halted on the northbound tracks at the Tremont Avenue station, the Bronx. Traffic was halted for more than three hours, from 149th St. to 241st, the northern end of the line.

None of the injured, who included passengers and crew members on the collection train, required hospitalization.

Col. Sidney B. Bingham, a member of the Board of Transportation, reached the scene of the crash early and attributed it to "man's failure." He said there were no block signals in the vicinity but that Dennis Hogan, motorman of the seven-car local, misjudged the distance as he came round a curve, approaching the station. The collection train, running an hour behind schedule, had its rear lights on, said Bingham.

Hogan applied the brakes when he saw the collection train advancing but was unable to halt the local on time, it was reported. The front end of the train was smashed in by the crash, but the motorman escaped injury. The air brake was broken and the last door dislocated on the rear car of the three-car money train.

Brazil Troops Break RR Strike

RIO DE JANEIRO, Feb. 7 (ALN).—The Brazilian railwaymen's strike for higher wages has been broken by the government's special anti-labor armed force, the political and social police, with the aid of regular troops.

The police arrested many labor leaders, including two Batucatu county councilmen elected by labor's vote, Teotonio de Oliveira and Francisco Romero.

The regular army is still guarding all principal stations of the Sorocabana railway.

While these developments were taking place, the Brazilian Supreme Court confirmed a restraining order suspending the operation of a congressional vote which raised the pay of members of Congress. This vote, taken at the same time as the government was refusing wage hikes to workers, had aroused nationwide indignation.

Gus Hall to Talk

CLEVELAND, Feb. 7.—Gus Hall, one of the 12 Communist leaders now on trial in New York, and Arnold Johnson, national legislative director of the Communist Party, will be the main speakers, at the annual Ruthenberg Banquet at the Slovenian Hall, 6309 St. Clair Ave., next Sunday at 6 p.m.

Harlem Project Spells Eviction to Tenants

By John Hudson Jones

Tenants, businessmen and private home owners on the site of Harlem's proposed St. Nicholas Houses were gripped with fear of mass evictions yesterday. Everyone has read in the papers that the city will soon move them out but so far the more than 2500 affected have heard of no provisions for relocation.

The project will be between West 127 Street and West 129 Street, between Seventh and Eighth Avenues.

The tenants have begun to organize themselves in the United Harlem Tenant and Consumers Organization. A meeting of more than 100 last week sent a petition to City Housing Authority and to Mayor O'Dwyer demanding that CHA renovate scores of boarded-up houses in the community and turn them over to the

tenants who face eviction.

The tenants also asked that priority in other projects be given these tenants, that tenants not be forced to accept sub-standard dwellings, and that there be no evictions.

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mass and quickly."

Mrs. Carrie Linder, 217 W. 127 St., has been elected chairman of the UHCTO unit of the site. The group is circulating their petition in the entire area.

EXPRESS GLOOM

Yesterday several tenants interviewed all expressed gloom at the prospect.

Mrs. Willie Bender, 279 W. 127 St., said, "I don't have anything against the project, and I want to live in it but what about us now?"

Sinclair William, 248 W. 128 St., said, "They had better find me a home because I'm not moving until they do."

The area contains dozens of small businesses such as cleaners, cafes, florists, drug stores, liquor stores and delicatessen, largely owned by Negroes. These small businessmen will be out of luck. Meanwhile, in upper Harlem in

a home where a rat recently bit a baby, the landlord late yesterday had not yet begun removing violations as ordered by a Washington Heights Court judge. Six-months-old Ralph Taylor, 250 W. 146 St., was gnawed in mid-December.

Last week his parents Mr. and Mrs. Jerome Taylor hailed the agent, Morris Zweibon, 601 W. 145 St. into court. They were represented by attorney Nathan Copeland, counsel for UHCTO. A summons had been issued against owner, Mary Ellis, a New Jersey absentee landlord, but she was vacationing in Florida. The judge dismissed the summons since the landlord wasn't present and ordered the agent to begin repairs yesterday. He must appear in court again Feb. 7 to report.

Mrs. Taylor reported yesterday, however, no repairs had been begun as yet.

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open the great north-south Tientsin-Nanking line.

The American correspondent, Betty Graham, who reached the scene shortly after one of the Shantung encirclements, saw the "great heaps of American-made equipment," the "cocky young village militia" who had come from scores of villages to help, and who were returning home laden with arms, and "tens of thousands of prisoners" filing to the rear. Later the UNRRA workers in Shantung reported seeing these same prisoners, disarmed and released, hiking home across country. Their captors had given them "travel money" and told them: "Go home, there are too many of you for Shantung to feed!"

"Mobile warfare," not guerilla warfare, was the way one Chinese People's Army leader described the army's tactics. What that meant is told in tomorrow's installment.

have had no reply from him or his office."

Carroll has made it plain to friends that he will not "go out on the limb" merely on a verbal request from the Justice Department agents.

Pickets Protest Theatre Bias

By John Hudson Jones

An inter-racial picket line protesting job bias at the RKO Hamilton theater, 146 St. and Broadway was broken up Saturday afternoon by 30th Precinct police. Sponsored by the Peoples Committee Against Discrimination, 702 St. Nicholas Ave. the demonstration demanded Negroes be hired to fill the next vacancies.

The demonstration was called after repeated attempts to see the manager, Phillip Nemiroff, failed. Two assistants told delegations on several occasions no discrimination existed since the theatre has Negro porters and employs Negroes in other jobs.

The theatre management admits however that 85 percent of its patrons are Negroes. However it employs no Negro cashiers, ticket takers, or ushers.

When the picket line began growing above a score of marchers, police showed up and broke up the line after consultation with the manager. The picket line resumed later.

Represented at the demonstration were the Tom Paine Club of the Communist Party; New World Club, Young Progressives of America; United Harlem Tenants and Consumers Organization; Robert New Club, YPA; Harlem Civil Rights Congress; and City College student section of the Communist Party.

ONLY

5

DAYS LEFT

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LET'S GO!

Fishermen Vote Merger With Coast Dockers

By Will Parry
Special to the Daily Worker

BELLINGHAM, Wash., Feb. 6.—Delegates to the tenth annual convention of CIO International Fishermen and Allied Workers voted 78 to 1 to recommend affiliation to the

powerful International Longshoremen's & Warehousemen's Union.

If approved by the Fishermen's membership, the merger will unite two fighting unions.

Merger would vastly increase the fighting strength of both unions in coming battles and would mark a long step toward the cherished objective of one union in the maritime industry, officials of both organizations agreed.

The proposal followed full discussions between officials of the two unions involved and was presented to the convention in a detailed memorandum drawn by IFAWA's officers and executive board.

Following enthusiastic approval of the delegates here, the merger will now be thoroughly discussed among IFAWA's membership and a referendum vote will be conducted, President J. F. Jurich said.

The Fishermen would constitute a division within the new international, with full autonomy guaranteed to all locals on the same basis as autonomy is granted to longshore and warehouse locals. Overall policy questions would be decided by conventions of ILWU and by the ILWU executive board between conventions. On all other issues local autonomy would prevail. This includes questions of membership, local rules, election of local officers, dues and assessments of locals.

The Fishermen's division would also have complete autonomy on matters of contract, negotiations, strike action and contract enforcement, as well as on special questions related to fisheries, such as conservation and legislation.

4TH ROUND WAGE FIGHT

Headed up by demands for fourth round wage increases, a fighting program in the interests of organized fishermen and shoreworkers was hammered out.

The resolution on wage policy, adopted almost without dissent, placed the union "squarely behind a fourth round of wage increases in our industry and for all workers throughout the country."

IFAWA became the first international to act on the recent firings at the University of Washington of three professors, two of them members of the Communist Party, when delegates voted unanimous condemnation of the action of regents and the university president in ousting the teachers. President J. F. Jurich, vice-president, Oscar Anderson, and Secretary-Treasurer J. F. Kibre, all reelected for the coming year, were instructed to fight the university thought control program as part of the union's battle for civil rights.

The convention blasted the Marshall Plan as "not designed to feed the hungry, but to benefit the big steel and armament interests." It cited the sharp adverse effects of ERP on fishermen's take-home pay and the industry's world markets.

In a resolution on national legislation, the union pledged a fight for immediate repeal of Taft-Hartley and full reinstatement of the Wagner Act, as well as outright abolition of the Un-American Committee.

Around the Dial, Bob Lauter's column on radio, appears every day in the Daily Worker and in the weekend Worker

US, Britain Snag Austria Pact

VIENNA, Feb. 7.—The arrival here of Lord Henderson, Britain's Under Secretary of State and his representative in the House of Lords, is connected by political circles with the Anglo-American attempts to delay the four-power negotiations on the peace treaty with Austria, which were due to begin tomorrow.

Henderson declared on his arrival that the British delegate for the peace treaty talks, Marjoribanks, "is still indisposed," and that he had news that the United States delegate Reber would be unable to reach London in time.

The real reason for the Anglo-American delaying maneuvers informed circles state, is that the occupation armies would have to leave Austria within three months after the signing of the peace treaty.

Henderson's visit to Vienna, where he will see Austrian Ministers and diplomats, is seen here mainly as an effort to co-ordinate Anglo-American tactics with those of the Austrian right-wing coalition, and to arrange a joint propaganda offensive to attempt to lay the blame for the delay of the peace treaty on the Soviet Union.

Brazil Troops Break RR Strike

RIO DE JANEIRO, Feb. 7 (ALN).—The Brazilian railwaymen's strike for higher wages has been broken by the government's special anti-labor armed force, the political and social police, with the aid of regular troops.

The police arrested many labor leaders, including two Batucatu county councilmen elected by labor's vote, Teotonio de Oliveira and Francisco Romero.

The regular army is still guarding all principal stations off the Sorocabana railway.

While these developments were taking place, the Brazilian Supreme Court confirmed a restraining order suspending the operation of a congressional vote which raised the pay of members of Congress. This vote, taken at the same time as the government was refusing wage hikes to workers, had aroused nationwide indignation.

Peruvian Military Orders Union Purge

LIMA, Feb. 7.—The Peruvian military authorities have issued directives to all unions to "purge all Communist and Aprista elements" from membership. The Apristas are another it is not noted for devotion to labor.

Union spokesmen here say the military order is part of a government drive to put labor under official control. A "labor front" into which the government hopes to drive all Peruvian workers has already been formed under the name of the United Front of Trade Union Independence.



HANDCUFFED by holdup men, clerks James W. Dameron (left) and E. L. Jeter (center), are released by detective A. H. Leonard following the robbery of the Mercantile National Bank, Miami Beach, Fla. The two robbers, posing as elevator men, gained entrance to a theatre adjoining the bank and drilled through a wall into the bank. They escaped with \$70,000.

1,000 TO ATTEND CAPITAL CIVIL RIGHTS ASSEMBLY

Dr. J. Finley Wilson, national head of the powerful Elks fraternal organization, announced yesterday that "more than 1,000 people have indicated that they are coming to Washington" for the Feb. 11-12 civil rights rally and assembly.

Invitations have been sent to Vice-Speakers who have so far accepted invitations to address the gathering are William E. Langer (R-ND), Adam Clayton Powell (D-NY); Mrs. Mary Church Terrell, first president of the National Association of Colored Women's Clubs and a well-known Republican; Henry A. Wallace, John Wesley Dobbs, Grand Master of the Georgia Negro Masons, and Mrs. Rosa Blocker, leader in New York church and fraternal circles.

Dr. Wilson's office revealed that

Gus Hall to Talk

CLEVELAND, Feb. 7.—Gus Hall, one of the 12 Communist leaders now on trial in New York, and Arnold Johnson, national legislative director of the Communist Party, will be the main speakers at the annual Ruthenberg Banquet at the Slovenian Hall, 6309 St. Clair Ave., next Sunday at 6 p.m.

Vets Tell Landlords: No Evictions

By Ruby Cooper

CHICAGO, Feb. 7.—Immediately after their vote to evict tenants and withdraw rental units, landlords here received a flat warning from veterans that evicted tenants would be moved back.

Bringing a tense hush over the boisterous landlord's meeting, the vet, speaking on behalf of a group of American Veterans Committee members present, said "I want to give fair warning that if anyone is put out on the streets, we'll put them back."

"We didn't fight in the war to get people put out on the streets."

Spokesmen for the Property Owners League said that veterans would be "spared" from eviction. This brought a sharp retort from another vet, who shouted sarcastically, "No, you won't evict vets, just tenants."

The landlord's action was voted on recommendation of William Schmidt, local organization head and introduced as the acting president of the American Property Owners Association.

Schmidt is substituting, it was disclosed, for Rev. Wallace J.

Murphy, of Tulsa, Okla., who has been "taken ill" since initiating the spreading landlords' "strike."

LANDLORDS' PARLEY

Schmidt just returned from Tulsa, announced a national conference of landlords would be held in Washington on Feb. 14.

Known here for his reactionary connections, Schmidt last year testified at a City Council hearing against a proposed ordinance to bar dissemination of race-hate propaganda against Negroes, Jews and other minority groups.

REUNION AT MEETING

Called to combat rent control, the meeting was also utilized by Schmidt and others for rabid Jew-baiting and labor-baiting.

One unidentified woman, reported to be a member of the pro-fascist "We the Mothers" organization, used Goebbels' technique of blaming "sad" plight of the landlords on a "clique of Jews."

Schmidt also ranted against labor. At Schmidt's mention of CIO, a loud chorus of boos resounded through the hall.

Spelling out how the landlords should go about evicting their ten-

Comb French Jails for Army In Viet-Nam

BANGKOK, Feb. 7.—Widespread indignation has been aroused here by the announcement published in the French press that French jails are being combed for volunteers to fight in Viet-Nam. Collaborators and war criminals receive an amnesty on enlistment in the ranks of the French colonial service. This amnesty is now to be extended to common criminals.

The first of the convict units, which have been formed at Frejus in France, are expected to arrive here shortly.

Meanwhile full details have been made available of the massacre in the Hanoi jails a few weeks ago. Several hundred Viet-Nam prisoners held there by the French authorities, including prisoners of war and civilians indiscriminately arrested as political suspects, were massacred.

Some were shot down in the yard of the jail, while many were bound together in groups of five or six and thrown into the Red River from the Longbien bridge.

Czech Tractor Stations Set Up

PRAGUE, Feb. 7 (Telepress).—A national enterprise for the mechanization of agriculture, just set up by the Czechoslovak Government, will organize machine, tractor and repair stations in all districts throughout the country. The stations will assist small and middle peasants and will train young peasants in the use of agricultural machines.

Agricultural machines and tractors which are privately owned can be confiscated and given to the national enterprise if the owners do not fulfill their quotas or if the machines are not made full use of.

Tokyo Paper Sees 3 Million Jobless

TOKYO, Feb. 7.—Unemployment in Japan will rise from the 670,000 in 1947 to three million in 1949, the conservative Japanese economic monthly, "Diamond," predicts.

The journal states that the American directed export program will not absorb "the army of jobless," as it will be a "hunger export" program.

Mrs. Bethune said she withdrew because of the presence as sponsors of persons "associated with activities and organizations" which she opposed. It was understood that she referred to a number of persons who had been associated with the Wallace movement or who had been red-baited by Attorney General Tom Clark.

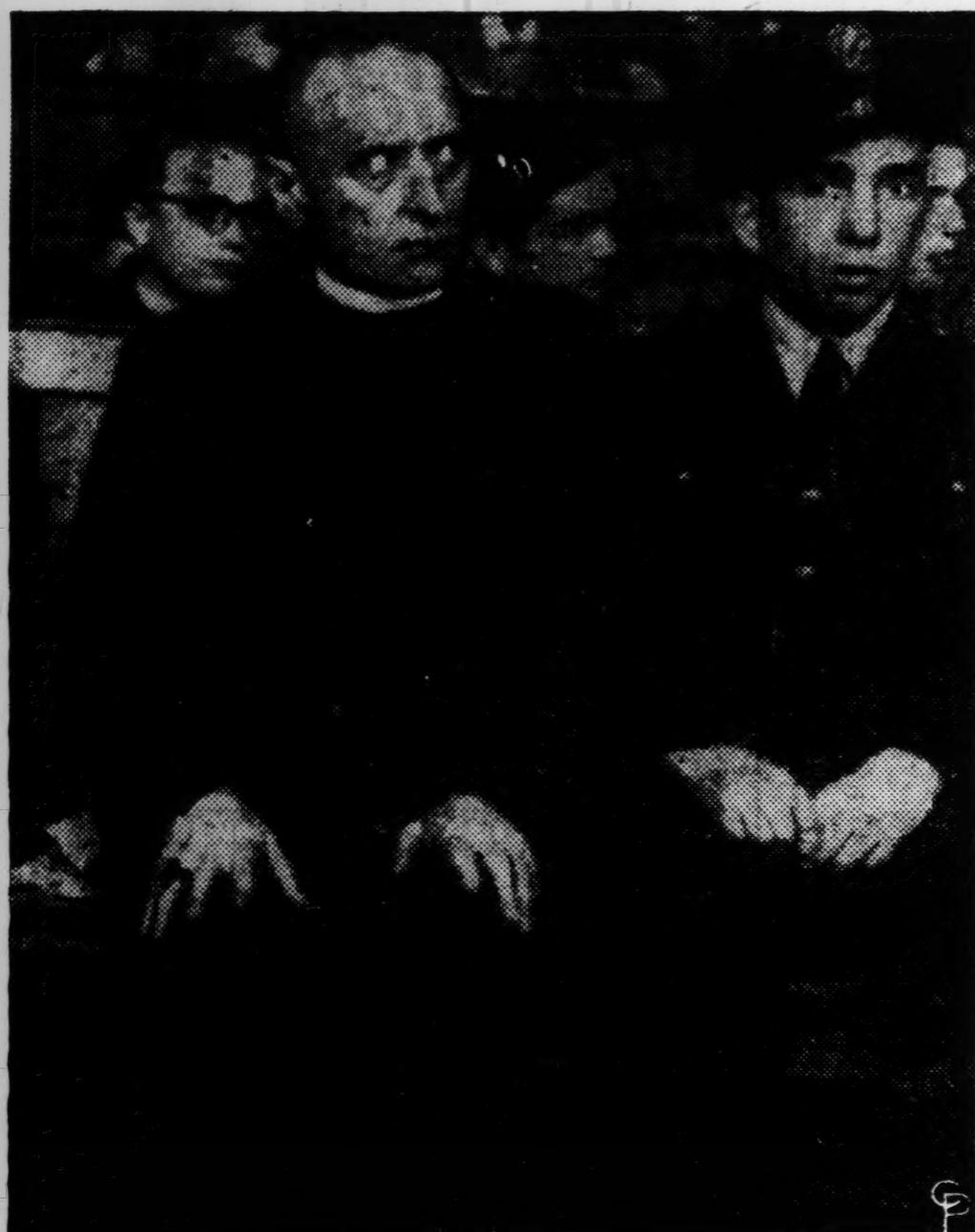
Dr. Wilson said "the crusade to wipe out segregation would go forward under the leadership of outstanding representatives of all political parties."

This is in accordance with the 1948 Rent Control Act passed by the 80th Congress, he asserted, and "we will be merely acting as law abiding citizens."

"Presumably Congress had something in mind in passing that law," he added, "and don't forget it was also signed by the President. It means plainly you may rent or you may not."

He advised that the vacated apartments should then be sold through the formation of cooperatives. "Even if you close down for a year, you can still sell on a cooperative basis and make money," he chortled.

After boasting that he occupied four apartments for his own use, Schmidt then told how he had sold 10 other apartments for \$7,000 a piece, on the basis of 20-year monthly payments of \$44.80, including a five percent interest charge, and an additional service charge of \$30 a month going to the corporation he had formed.



Cardinal Mindszenty before the bar of justice.

Germans Ask Eisler's Return

The first national conference of the German Socialist Unity Party has demanded that Gerhart Eisler be granted the right to leave America for his German homeland. The newspaper *Neues Deutschland* in Berlin quoted the telegram sent U. S. authorities by the conference:

"The first party conference of the Socialist Unity Party greets comrade Gerhart Eisler who is still being kept in the U. S. With warmest sympathy the German Socialists are watching his battle for his return to Germany, his courageous attack against reaction, and his identification with the policies of the Socialist Unity Party. The Party Conference demands that Gerhart Eisler get his freedom and be permitted to his German homeland, in order to take his place again in the German labor movement."

Help Tell Story Of Trial of '12'

By Elizabeth Gurley Flynn

THE GOVERNMENT lawyers, the judge, the press, are all storming, "Let's get on with the trial!" They understand what is at stake in the legal battle now on at Foley Square,

The lawyers defending the Communist leaders have fought now for three weeks to dismiss the indictment. This is not delaying tactics! Rights of Americans are more important than speed! They contend that the indictment is unconstitutional. It attempts to out-a political party. It is thought control. There should never be a trial.



The first round in this battle surpasses anything that ever happened in a similar case. It goes right to the heart of class justice.

What's On?

Tomorrow Manhattan

WHAT DO YOU know about Negro history? Surprise speaker tomorrow night at 201 Second Ave., 7:30. Kathleen Morris Section, Student Division, C.P.

RATES: 35 cents per line in the Daily Worker
40 cents per line in The (Weekend) Worker
6 words constitute a line
Minimum charge - 3 lines
PAYABLE IN ADVANCE

DEADLINES:
Daily Worker:
Previous day at noon
For Monday's issue
Friday at 4 p. m.
Weekend Worker:
Previous Wednesday
at 4 p. m.

It is a challenge to the method of selecting the Grand Jury and the trial jury in the Southern District of N. Y. It is making new history in political cases. It has placed the government on trial, to defend this illegal and shameful method.

At first the government lawyers were amused and bored. They considered this a routine business. Many attorneys had previously attacked the jury system, including Judge Medina. Suddenly they woke up. This is different. A Congressional investigation is threatened. Delegations of citizens are coming down to investigate.

No other lawyers ever made such a complete devastating public challenge, documented with a wealth of indisputable facts and figures. New York is confronted with a system deliberately devised by Judge Knox to exclude whole groups of citizens from jury duty. It guarantees convictions. The government is fighting desperately "An On with the trial!" is their cry to cut off further proof. There is plenty more.

The Communist leaders are performing a great service for the people of New York. The research and preparation of the material has cost weeks of work and a fortune in money. Is it worth it? We believe it is.

In defending their own rights they are defending the rights of all. We plan to place this material on exhibition here and around the country. You can help.

Demand that this whole matter hush. Contribute towards the E be fully investigated—no hush-hush. Contribute towards the \$100,000 fund by Feb. 15th. Let me hear from you at 35 E. 12th St., N.Y.C.

U. S. Envoy Ran Spy Ring, Mindszenty Papers Show

Second of Two Articles

By Robert Friedman

Joseph Cardinal Mindszenty, in his confessions published in the Hungarian government's Yellow Book, now available in English, described, as told in the previous article, his trip to the United States and his conversations with Cardinal Spellman and U. S. government agents. Once back in Hungary, Mindszenty continues, he "reported to the monarchist leaders I convened in secret." From these talks there developed his letter of Sept. 20, 1947, to U. S. Envoy Chapin, urging the U. S. to buy up all Russian assets in Hungary, and to ask withdrawal of Soviet troops as a condition of purchase.

Jusztin Baranyai, one of the royalists, prepared a memorandum on a "provisional government," which Mindszenty accepted, for a caretaker government for the period between Anglo-American occupation of Hungary and the coronation of King Otto of Hapsburg. Baranyai's plan assumed that "the Cardinal would seem to be the only acceptable dignitary to appoint a government, just as the Metropolitan of Athens did two years ago."

CHAPIN'S INSTRUCTIONS

Confirming the Yellow Book's charge that Otto and Mindszenty "agreed to use the Budapest Legation of the U. S. A. as intermediary in their conspiracy against the people," Ambassador Chapin told Mindszenty at a September meeting that the outbreak of war was probable and that it was the opinion of leading American politicians that the Hungarian monarchy could be restored.

"My opinion and impression of the whole conversation," Mindszenty's secretary wrote, "was that Chapin was actually showing the way for Mindszenty's further activities and indicating support for him."

The prelate openly interfered in the 1947 Hungarian elections, in addition to his subterranean plottings. "I influenced the results of the 1947 elections in a decisive way, to the benefit of the right-wing parties," he admitted, not only directing "the faithful" on how to vote, but giving Margit Schlahta, monarchist candidate, "20,000 florins for her election expenses."

ESPIONAGE

"I kept up regular connections," he writes, "with the Budapest legations of the western powers, in the first place of the USA. I furnished data on Hungarian politics, economic questions and on the troops of the third member of the Allied Control Commission, that is, on the Soviet Army, to the heads of the English and American missions."

In a letter to the British minister on Aug. 25, 1947, asking intervention to prevent the transfer of the German minority from Hungary, he said:

"I ask Your Excellency not to be reluctant to remedy this situation on the grounds that it is an internal matter."

He obtained the draft budget of Soviet troops in Hungary and gave that, too, to the U. S. and British missions.

SPY AIDE

Chief aide to Mindszenty in the compilation of espionage reports was Zsigmond Mihalovics, director of Actio Catholica. The latter reported to his chief on July 14, 1946, for example: "At the house of Mrs. Varasdy, nee Countess Henriette Zichy, we held a concert for the Swiss and Danish missions. . . . I think that we were able to give them very valuable and confidential information not only in regard to relief but on the other matters, too."

Mihalovics fled Hungary after his activities were exposed, remaining in touch with Mindszenty. In a nine-page letter to the Cardinal,

sent to Rome in 1947. Writing for Mindszenty's secret files, Peterffy, in charge of the Hungarian Papal Church Institute in Rome, advised him of the pro-monarcho-fascist attitude of the Vatican.

In Mindszenty's files, too, was found this callous statement:

"It is our good fortune that the great 'reservoir' of Galician and Bukovian Jews, the millions of Jewish masses in the ghetto, have as a result of the German war of destruction been reduced to some 500,000."

The Yellow Book also describes how Mindszenty's network sold dollars on the black market; smuggled foreign exchange into Hungary, and levied usurious rates on loans made by the Cardinal's agents.

Mindszenty bought three cars in 1946, and gave one car to the director of the Vatican Radio. He paid \$7,000 for the cars, part of the \$19,000 he got, mainly from Cardinal Spellman. He also received \$5,000 from Hungarians in Rome. The car for the Vatican functionary the Yellow Book described as a bribe to secure a "suitable Hungarian language program on the Vatican Radio." The funds collected in America had been intended by innocent donors for relief of destitute countrymen.

Announcing

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To Defend Our Party, Defend Democracy

Auspices: Communist Party, East New York

Around the Globe

By
Joseph
Starobin

Inside the Mind Of John Gunther

ONE OF THESE DAYS somebody is bound to write a book entitled "Inside John Gunther." Or at least a series of articles, which might be syndicated by a reputable paper, say, the N. Y. Herald Tribune. I don't want to prejudge Mr. Gunther's current copyrighted pieces on Europe. So far, his galloping generalizations have gotten him only to Yugoslavia, and he has quite a way to go. Yet his first two articles have some curious things in them; it's as though the author were determined not to let the last paragraph remember what the first one was saying.

"We were lucky enough to get visas to four Iron Curtain countries," he says last Wednesday (as though there were really some legendary feat) and "for months we traveled in Russian-saturated territories. I have almost been tempted to call this series 'Inside Outside Russia.' . . . But his second article, on Thursday, contains the following passage: "Speaking of Russians, we never saw one. The world outside may assume that this whole area is overrun by Russians: nothing could be farther from the truth. . . ."

I leave it to you to mull over the thinking which goes into such self-contradiction.

THEN, THERE ARE little phrases which are sometimes astounding, for example, when Gunther speaks of "the conference last summer of so-called intellectuals at Wroclaw, Poland. . . ."

Why the phrase "so-called"? Has Gunther examined the list of delegates to that conference? When people like Eluard of France, Sholokhov and Tarle of the Soviet Union, Irene Joliot-Curie and Julian Huxley, or George Lukacs of Hungary and Jorge Amado of Brazil get together—where does Mr. Gunther get the snide phrase: "so-called."

AFTER DESCRIBING the alleged isolation of eastern Europe, Gunther writes, "You could still buy a railway ticket from Paris all the way to Istanbul through three satellite countries (of course it will be prudent to have your visas in good order) and you can still fly from Prague, say, or even Warsaw, to any European capital."

What kind of mentality goes into the parenthesis about visas in good order? You have to have visas in good order to travel in the West also, except very recently for American travelers to Italy or Britain. You need visas for France, for the military zones of Germany, and Europeans certainly need visas for travel into America.

And why the amazement about "still" flying from Prague, and "even" Warsaw? The fact is that half a dozen airlines stop at Prague, which is a real air-hub for all parts of Europe. In and out of Warsaw you will find that French, Scandinavian, Hungarian, Czech and Russian airlines fly regularly, as well as Polish.

The "even" is one of those gratuitous qualifications, consciously or unconsciously making a mystery out of eastern Europe where none exists.

AND WHEN GUNTER makes one-sentence judgments about the east, and satisfies himself that "Hungary is least changed from former days," it is just fantastic. Least changed—why, the feudal estates are gone, the peasants are going into cooperatives, the industry is nationalized, the educational system is turned inside out, the church is being separated from the state, the whole country is changing incredibly.

I happened to have been present at a press conference given by Mr. Gunther in Budapest on the first of September, 1948. Unless my memory is poor, he did not tell his audience then that Hungary remains quite the same as it was under the Horthy dictatorship. . . . They would not have been able to resist raucous laughter.



VIRGIL—Who's Afraid



By Len Kleis

World of Labor

By
George
Morris

Post-War Honeymoon Is Really Over

TWO MILLION WAGE EARNERS lost their jobs in January, says the Census Bureau. The 57,500,000 workers on payrolls in January is a drop of some 4,000,000 from last summer's record employment "boom." Government spokesmen, always ready to minimize the danger, said many of that two million off jobs are not really unemployed but include women and youths "below 25," who are retiring from work—on lifetime incomes, we presume. On that basis, they arrive at the strange conclusion that only 700,000 were actually added to the army of job-seekers in January, to a total of 2,650,000.

Either way you take it, the post-war honeymoon is over. Of course, a great many workers will "retire." Millions of families managed in recent years only because two or more worked. That opportunity is shrinking. But even more widespread than unemployment is part-time work—the kind that forces you to draw on your savings and wipe them out by the time you are laid off for good.



Home relief rolls, too, are reaching menacing proportions. New York City's caseload is 139,000 now, says Welfare Commissioner Raymond M. Hilliard as he asked for higher appropriations for his department. In December, he reports, 1,541 applied for relief. In January the figure jumped to 3,100.

In some cities, it is beginning to look like pre-war. About 10,000—a third of the employment force of the woolen center of Lawrence, Mass., is unemployed. Other towns may not be as badly off, but the trend is unmistakable.

WHAT HAS BECOME of the argument we so often heard from people who call themselves liberals and most of our labor leaders, that we need high wages to raise popular purchasing power and in that manner prevent mass unemployment? The theory, it seems, faded away just when millions of people look for its benefits. Even though we are only in the first stages of an unemployment crisis, these "liberals" and labor leaders are already spinning an opposite theory—that this is not the time to press for a raise.

The most loud-mouthed of these advocates of "insurance" against depression, Walter Reuther of the United Automobile Workers, has given the lead for abandonment of a fourth-round raise and concentration on a pension plan. Philip Murray indicates the same in his negotiations for steel.

Emil Rieve of the Textile Workers had his union print a beautifully engraved pamphlet on a post-war future of steadily rising wage standards and a "crisisless capitalism."

But it was Rieve who gained most prominence for his "statesmanship" in seeing the employers' viewpoint and even opposing a raise where, to his thinking, the industry couldn't "afford" it. His own argument was thrown back into his face by the arbitrators of both the cotton and woolen industry in their rulings denying a 10 cents hourly raise.

RAYMOND F. O'CONNELL, the arbitrator who denied the raise in the woolen case, told reporters that the Communist Party will "use this decision to its advantage." He acknowledged receiving wires and letters from workers demanding a raise which, he said, the Communist Party urged. He also said the Communist Party is "looking forward eagerly to layoffs." What does O'Connell think we'll do, praise capitalism for giving us layoffs and lower earnings?

It is not a question whether one awaits unemployment "eagerly" or not. Communists are in no more a position to stop capitalist unemployment than the textile or other employers are. But the situation does prove the correctness of what the Communists have been saying—that capitalism cannot offer a permanent "prosperity."

Until we do have Socialism—a social order that doesn't know unemployment and production for private profit—the Communists will, of course, "eagerly" lead the struggle for higher wages, and standards equal to average wages for the unemployed. This is why the textile manufacturers, through the magazine the *American Wool and Cotton Reporter*, scream that "there ought to be a bounty for the pelts of such vicious animals," meaning us and the leaders of the Communist Party now on trial for "force and violence."



"I'm in favor of an anti-lynch law, sah, if it don't apply to Negroes."

COMING: Jimcrow Brought to Bay . . . By Joseph North . . . In the weekend Worker

Daily Worker

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Catholics Also Want Peace

WHEN AL SMITH, noted Catholic layman, ran for President in the 1928 election, he used to emphasize that no American Catholic has to take his politics from any priest, Cardinal or even the Pope.

The fact is that millions of Catholics who have to work for a living are actively on the side of progress against reaction and fascism, while the upper hierarchy works on the side of the wealthy and the privileged minority.

On Sunday, Cardinal Spellman made a violent political speech in St. Patrick's Cathedral. He didn't talk faith and morals. He talked straight politics. He called for force and violence, for anti-democratic rebellion in Hungary, in Eastern Europe and the Soviet Union. He practically demanded that the American people get

ready to shed their blood for his cause.

And, by a strange coincidence, Mayor O'Dwyer of New York City, quickly followed Cardinal Spellman's call for force and violence with a demand for State Department action in the case of Cardinal Mindszenty of Hungary. The political distance between St. Patrick's and City Hall does not seem to be wide in these matters.

WHAT KIND OF POLITICS is Cardinal Spellman trying to sell to the American people, with the help of Mayor O'Dwyer? Let us see. Cardinal Spellman says that Cardinal Mindszenty is a martyr to his Christian faith and his Catholicism. But it is not for his religious beliefs that Cardinal Mindszenty was tried. On the contrary, Cardinal Mindszenty does not have the support of even the Catholic Bishops of Hungary, not to speak of the millions of Catholic peasants to whom the new democracy of Hungary has given the land of the divided feudal estates. Mindszenty admitted black market dealings and intrigues with outside political groups. He was linked to the monarchist Otto of Hapsburg to restore fascism and monarchism in Hungary. Will Cardinal Spellman and Mayor O'Dwyer assert that Christian beliefs can be used as a cloak for such crooked dealings?

Cardinal Spellman's fury can be well understood when it is recalled that the Hungarian Government presented to the bar of world opinion an authentic letter implicating Cardinal Spellman in Mindszenty's political intrigues. On Sunday, Cardinal Spellman openly took his stand with the efforts of Hungarian fascism to overthrow the new democracy. In the same way, Father Coughlin said in the 1936 elections in the U.S.A., "I take the road to fascism." In the same way, the Vatican backed the uprising of Franco and Hitler against the Spanish Republic.

But what Cardinal Spellman and Mayor O'Dwyer cannot evade is the fact that millions of Catholics in Europe—in Spain, Poland, Czechoslovakia, Hungary, etc.—are firmly and irrevocably anti-fascist. Cardinal Spellman is clashing with the Catholic peasants of Hungary when he takes his stand with the Catholic landlords, usurers, and exploiters. These Catholic millions will defend their newly-won land with their lives, just as the Catholic peasants and workers of Spain will settle accounts with the Vatican-backed fascism in Franco. And many a lowly priest will stand with them against the rich, the privileged and the corrupt hierarchy.

The Vatican's war-seeking politics in the U. S. A. will not win either the Catholic workers or the rest of the country. The Vatican would not win the U. S. A. to its pro-Axis stand during the rise of the "Anti-Comintern" war plot. It will not win the Catholic workers of America for a policy of backing Nazi war power in the Ruhr and a holy crusade to restore the kings and fascists of Europe.

Neither Cardinal Spellman nor Mayor O'Dwyer protested when Cardinal Hlond of Poland recently approved the pogroms against Jews. Neither has protested the revival of Nazis in Germany, nor the terrorism of Spanish fascism against the Protestant Churches in that country.

Cardinal Spellman's effort to provoke war will be defeated by the American people, and not in the least, by the millions of American Catholic working men who don't want to die for the landlords of Hungary or for Wall Street.

RIGGED JURY

By Fred Ellis



As We See It

Not Emily Post,
But Peace, Is the Issue

By Rob F. Hall

WASHINGTON.



IT IS nothing new for persons who refuse collaboration with Communists for ostensibly common aims to hide behind the alleged "bad manners" of the Marxists. A recent case in point was the complaint of a trade union bureaucrat that Communists came to the Capitol to lobby against Taft-Hartley in their "soiled work clothes." And now Secretary of State Acheson has rejected Premier Stalin's request for peace talks with President Truman because, among other reasons, the invitation was tendered through the medium of a press interview and did not arrive via "normal channels." Obviously Acheson considers that Stalin has been guilty of a serious breach of diplomatic etiquette.

Acheson began his press conference last Wednesday with a reference to this lamentable failing of the Soviets by stressing that Stalin had made his position known through the wrong Smith, J. KINGSBURY Smith, a reporter, and not AMBASSADOR Smith!

In conclusion he insisted that "normal channels" were open for such things, and added: "If I on my part were seeking to give assurance of seriousness of purpose, I would choose some other channel than the channel of a press interview."

Some one might have pointed out that the Secretary of State was himself using the sordid channel of a mere press interview in a serious effort to destroy what Stalin had raised—the people's hopes for peace. But no one did, and Acheson was able to hasten on to further disparagement of the press as a medium for international communication. The opportunity was given him by this writer in a reference to Kingsbury Smith's first question, which Stalin had answered affirmatively:

"Would the government of the USSR be prepared to consider the issuance of a joint declaration with the government of the U. S. asserting that the respective governments have no intention of resorting to war against one another?"

"Suppose," I said, "Kingsbury Smith addressed that same question to you? What would be your answer?"

The Secretary could have replied either yes or no and thus settled categorically the real issue upon which the attention of the world was focused. But the

carrying out this desire of mine, since doctors strongly object to my making any long journey, especially by sea or air.

"The government of the Soviet Union would welcome the President's visit to the USSR. A conference could be arranged at Moscow, Leningrad, of Kaliningrad, Odessa or Yalta, according to the President's choice, if this should not inconvenience the President.

"If, however, these proposals should meet with the President's objections, a meeting could be arranged in Poland or Czechoslovakia, according to the President's wish."

I gather that this note fails to meet the rigorous diplomatic standards set by Secretary Acheson. But for my part I have seldom read a more cordial, gracious and considerate message from the head of a powerful state. The fact that it was written to a mere member of the working press instead of one of the boys in cutaway and striped pants heightens rather than depreciates its intrinsic decency and good taste.

One might with better reason question the manners of Acheson, who referred with a sneer to the doctors' order to Stalin not to travel, by sea or air, saying: "He thus seems to be effectively grounded." Nor is it easy to forget Acheson's brusque comment that Stalin's message was "international political maneuvering."

I have never maintained that the manners of us Communists were always perfect, and I am agreeable to mend my own whenever they are shown to stand in the way of cooperative work for a good cause. But I submit that when so great an issue as world peace is at stake, form should not take precedence over substance, nor protocol over practice.

To argue otherwise, as Acheson does, is to confirm the suspicion that it is the prospect of a stable world and not Stalin's "bad" diplomatic manners which plunge the State Department into ill-tempered despair.



DEAN ACHESON

Secretary preferred to treat only with this side issue, that is, of protocol and diplomatic niceties.

"I am not going to suppose anything," he said sharply. "I am commenting on something which is a press release."

"Do you consider an invitation that Mr. Truman might receive from Premier Stalin is hypothetical speculation?" another reporter asked. Acheson replied tartly that, so far as he knew, there had been no invitation.

Very well. Acheson may deny the existence of the invitation, because it did not wend its devious way through diplomatic channels. And so may President Truman. But millions here and abroad will know from their newspapers that Joseph Stalin sat down and wrote a warm, friendly note, as follows:

"I thank President Truman for the invitation to go to Washington. To visit Washington has long been my desire. . . .

"I regret that at present I am deprived of the possibility of

A LETTER TO THE JUDGE'S WIFE

By Peggy Dennis
Guest Columnist

Mrs. Medina:

I saw you in the courtroom Jan. 28. You sat in the first row reserved for "guests of the Court." I was sitting directly behind you in the second row reserved for "friends of the defendants."

I could not help overhearing your account to your friends of how harassed and nervous your husband, the Judge, has become; of how he doesn't sleep well; of how you have had to give up most of your social life, because the Judge just isn't up to those things these days, he is that disturbed.

I must admit frankly, Mrs. Medina, that I was not a completely disinterested eavesdropper upon your tale of woe. For, you see, I, too, am a very concerned wife of one of the principals in that courtroom scene. My husband is Eugene Dennis, one of the 12.

And as I listened to your conversation, I thought of many things. I thought of Lil Green and her three youngsters in Chicago (family of "defendant" Gil Green) and of "defendant" Carl Winter's wife and little daughter in Detroit, and of the wife and two youngsters of "defendant" Gus Hall in Cleveland. These families have been broken up for many months before the trial ever began.

And in the limited comprehension of three, six and 10-year-olds, the words "trial" and "jail" are almost synonymous. They only know that Daddy is already gone.

I thought, too, of the Williamson, Thompson and Winston families, and, yes, of my own little family, and of what this trial means to us in personal terms as "relatives of the defendants," as the Court has dubbed us. And your having to pass up a night at the opera or "friends in for bridge" somehow dwarfs by comparison.

OUR HUSBANDS face 10 years in jail. But even more important than the threat to their personal liberty and to the security of our family circles is the fact that they stand in Judge Medina's court to defend and vindicate their whole life's work. They are defending their fundamental political and social creed by which they have lived as men and dedicated themselves as leaders of a mass political movement and party.

And we, their wives, stand wholeheartedly and foursquare with them in this. You will find that, amongst us, our married lives chalk up as high as 25 years for some, 15 and 20 years, and 10 and 12 years for still others. Our lives have been integrated into the work and struggles and personal hardships of our husbands as Communist leaders.

We are exceedingly proud of our men; proud of their records as fighting American Communists; proud of their fearless fight against

the indictments with which they are so falsely charged.

THE NEWSPAPERS and radio of the country have declared their amazement at the way these 12 Communist leaders have taken the offensive in the courtroom and have themselves become the accusers rather than the accused. No doubt, this too has been a contributing factor to the Judge's sleepless nights.

Perhaps your husband is finally beginning to realize that this is not "just another criminal case," as he has insisted upon calling it for weeks. It is a trial that is shaking not only him, but circles much more powerful than he.

Our husbands are fighting the cause of all progressive Americans in the courtroom and on the outside. They are putting their strong hands into the broken dyke of American democracy. With their own personal freedom at stake, they are trying to block the breakthrough of fascist reaction in our country.

ALSO, MRS. MEDINA, I saw you hand a note to a bailiff of the court that day—the note that so swiftly made the front page headlines within a few hours. And I overheard your request for police protection for your husband and your fear to open mail and packages at home.

In the afternoon, Judge Medina made official reference to your fears for his safety. He attempted to place responsibility for such alleged threats to him upon the effect that the speeches of the Defense might have had on some misguided souls. I am afraid that your husband, the Judge, has a very short memory, or else that his conscience is a very accommodating one.

Do you recall that, on the first day of the trial, the Defense Counsel protested against the encirclement of Foley Square by over 400 mounted, veiled, and armed police? They charged that hysteria was being created. They charged that the general public was being influenced to believe that the mere presence of these 12 men in Foley Square held some sinister threat to "law and order." They asked the Judge to have the police removed in the interests of fairness and the safety of the defendants.

Your husband, tongue in cheek, smirked that he saw no "undue massing of police," and that he needed those 400 police so that he could get in and out of the building.

Do you remember, also, that in the first days of the trial, the Defense Counsel informed the Judge that there was sitting inside the sacred railing (reserved for special guests, counsel and defendants) a known stool-pigeon connected with the Burke attack upon the home of the Communist Bob Thompson—one of the 12? Defense requested that this shady "private eye" be removed. Your husband retorted

law enforcement. They result in their being no fair play either in criminal or civil cases.

Negro Job Parley

W. E. B. DuBois, vice-chairman of the Council on African Affairs, will address an all-day conference Saturday on the problem of employment opportunities for Negroes in New York private social agencies.

This situation is our problem and our responsibility. It is in the power of Congress to enact legislation which will guarantee the selection of fair and impartial juries in our Federal courts. It is fitting that the Senate should take the lead in this respect, since it is the Senate which confirmed the appointment of Judge Knox and all other Federal judges, and which therefore has some responsibility for their actions.

Handpicked juries have no place in our democracy. They are a stench and are a disgrace to honest

that he would not question the was whipping up hysteria and bad right of any one's presence in the courtroom.

Do you remember that the Defense counsel asked that the carrying of arms into the courtroom be forbidden, especially in the light of the tense, trigger-happy atmosphere created by the police invasion of Foley Square? Your husband denied this request and thereby gave implied "open sesame" to every stoolpigeon, thug and crack-pot.

Do you recall that the Defense made reference to the irresponsible manner in which the daily press

only those for whom they intended it. Crackpots of all kinds are being attracted.

YOU HAD your day in court that Friday, Mrs. Medina. Your scribbled note to an attendant became front page news. Your alleged fears for the Judge's safety became part of the official Court record—as well as headline news.

The press and the radio played up this whole issue and ignored almost entirely the real news of that day. That was the impressive testimony of Dr. Doxey Wilkerson, eminent Negro educator and research specialist, who introduced 45 exhibits of government statistical materials, books, charts and maps to substantiate the charge of the Defense against the Knoxized rigging of the jury system in the Southern District of New York.

Life of the Party

that he would not question the was whipping up hysteria and bad right of any one's presence in the courtroom.

Do you remember that the Defense counsel asked that the carrying of arms into the courtroom be forbidden, especially in the light of the tense, trigger-happy atmosphere created by the police invasion of Foley Square? Your husband denied this request and thereby gave implied "open sesame" to every stoolpigeon, thug and crack-pot.

And when the Defense spoke of the effect of this concerted malice and distortions upon the gullible mind, your husband prattled about freedom of the press.

But now the shoe is on the other foot. And it pinches a little. The Judge, the press, the police, and the prosecution have created a Frankenstein which threatens not

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REVISIT SCENE OF RESCUE



LILLIAN MINGIN, 15, and Kenneth Van Gorder, 6, revisit the spot at Columbus Park skating pond, Perth Amboy, N. J., where Lillian rescued the youngster when he crashed through the ice on

UNIONISTS VISIT McGOHEY

(Continued from Page 2) apparently they get here."

The delegation was as varied as the cross-section of the New York populace that is deliberately excluded from the juries. It consisted of Negroes, Jews, women, and spokesmen of New York AFL and CIO locals whose membership totaled over 45,000. It is evident that this delegation was only the beginning of widespread protest against the jury system here. Last week a delegation representing other locals visited Judge Medina.

Kanter told McGohey that labor expects juries to be selected on a democratic basis.

"The present system should be scrapped and the indictments against these working-class leaders dropped," he declared.

He waited for McGohey's reply. The prosecutor stayed silent.

"Furthermore," Kanter continued when he perceived the prosecutor's unwillingness to talk, "the unionists feel that a larger courtroom is needed so that they can gain entrance and see for themselves what is going on here." The UE leader said this case is "of such crucial importance to our members and to the country at large that it is imperative that quarters be found to accommodate all want to attend."

Miss Dale compared New York's federal system with that of the deep South. She said she spoke not only as a trade unionist but on behalf of large sections of Harlem, and others.

A long pause followed again while the unionists waited for McGohey to reply. Finally he said, "Well, does anybody else have anything to say?"

Kanter replied that the delegates had met for a few moments before coming here, and that, in essence, the position of the delegation had already been stated.

"Now we would like to hear from you, Mr. McGohey. You are an important figure in all these proceedings and any comment you would make certainly would have some bearing on this case."

McGOHEY SAYS NO

The prosecuting attorney frostily said that "he could not go along" with the delegation on quashing the indictments. He said the judge had already ruled the indictments "are valid and I believe them to be valid." So far as the courtroom is concerned, he declared, "it is the largest in the building."

Kanter replied: "Even though the court has ruled, it is impos-

sible that you express yourself personally. Word from you could stop this whole thing."

"No comment," McGohey replied.

At this point McGohey arose and remarked irritably that he must go down to the courtroom. "I am very busy," he said.

Kanter replied: "We would like to relieve you of some of your business. You would be much less busy if you dropped the indictments."

At this point Henry Axtell, business agent of Local 140, of the Furniture Workers rose: "Do I understand," he asked McGohey, "that your answer to our concern on rigging the juries is 'No comment'?"

McGohey replied: "I won't comment on your comment."

The interview was over. As McGohey rushed off, he appeared to remember that it was expedient to show politeness to trade unionists, and his final words were, "Thank you for coming."

ESCORTED

The delegation was then escorted by a uniformed guard to the elevator and down the 19 floors to the ground floor. The guard had waited outside all the time the unionists were in McGohey's office.

As they filed out, they encountered Judge Medina emerging from a room across the hall from McGohey's office.

They will report on their interview at open meetings of their trade unions. They expect many others to send similar delegations to see the judge and prosecuting attorney.

Others on the delegation were: Irving Sober-El, vice-president of the AFL Bakers Local No. 3; Frank Weinheimer, business agent of Local 430, UE; Morris Cohen, organizer for the Joint Board of the Furriers; Amelia di Zinno, organizer of Local 16, Office Workers, Henry Foner, educational director of the Furriers Joint Board.

Charles Doyle, trade union director of the Civil Rights Congress, accompanied them.

Trade Unions Write Truman on Jury Rigging

(Continued from Page 2) on a basis which excludes members of minority groups, workers and trade unionists.

Such a jury system contradicts the basic principles upon which juries under democracies are to operate, said the resolution.

It pointed out that "Negroes, workers and members of other racial, national and political minorities cannot under such a jury system receive a fair and impartial

Medina Bars Secret Gov't Records on Jury

(Continued from Page 1) how Judge Knox organized his panels of "better quality jurors."

U. S. Attorney John F. X. McGohey objected to defense questions to Tolman and Chandler concerning conversations they had with district judges and facts which were the basis of the jury report. The judge sustained the prosecutor and barred any thorough investigation of the Tolman study.

Tolman told the court he found no discrimination in the New York jury system. But he casually admitted he never looked for any.

WILKERSON RECALLED

Prof. Doxey Wilkerson, Sociologist and statistical expert, was recalled to the witness stand. He began testifying as to the literacy of citizens of New York and their qualifications for jury service.

"The witness is not competent to testify on literacy," Judge Medina ruled.

"He is not expressing an opinion," Defense Attorney Richard Gladstein replied. "He is being asked to testify on a study he made of literacy."

The judge finally permitted Wilkerson to testify that official statistics revealed that only 6.5 percent of the citizens in the Southern Federal Court District are illiterate.

Judge Medina suppressed further testimony on the question of illiteracy claiming he did not understand the figures presented by Prof. Wilkerson. The Court then proceeded to rule out tables and oral testimony showing the relation of jurors on two panels with the lists of party enrollment of voters.

The Court likewise denied the defense the right to introduce tables showing the Assembly Districts from which the prospective jurors were handpicked and the districts from which no jurors came.

When the court was called to order, Attorney Harold I. Cammer, of the firm of Pressman, Witt and Cammer, submitted a motion, which was turned down last week, to appear as amicus curiae (friend of the court) to file briefs and argue on behalf of the defense challenge of the jury array.

APPEARS FOR UNIONS

Cammer said he represented the International Fur and Leather Workers Union, International Union of Mine, Mill and Smelter Workers and the Food, Tobacco, Agricultural and Allied Workers Union, all CIO, with 250,000 members.

Cammer's petition stated those manual workers who are members of the unions he represents are precisely the type discriminated against in the choice of jury panels. Judge Medina refused Cammer's request to argue his motion.

He granted the lawyer permission to file briefs, but denied him the right to argue orally. The briefs, the court ordered, would have to be filed during the trial of the jury challenge. Medina said he would not extend time for briefs after

all evidence was in on the challenge.

Tolman was the first witness called.

He testified he made a study of the New York Southern District jury system in 1940 and submitted a memorandum on the study to his chief, Henry P. Chandler, Jan. 2, 1941.

CHANGE JURY SYSTEM

The memorandum, introduced as evidence, told how senior Judge John C. Knox had revamped the jury system to get "better quality jurors." It stated that panels were found to be unsatisfactory "due to general economic conditions" and that the "panel was overcrowded with relief workers and housewives."

The memorandum further revealed how Judge Knox and the jury officials scrapped the old system of drawing jury panels from the lists of registered voters and proceeded to get more "selective" and "suitable" panels from Who's Who in New York, Poor's Directory, Directory of Directors, the Social Register and various college and university alumni directories.

Asked by attorney Harry Sacher if he had conversations with Judge Knox, Tolman replied he had spoken to the judge many times. He testified he also had conversations with Joseph McKenzie, the jury clerk.

Tolman asked that Chandler, his chief, be called to the stand before he continued with any further testimony.

The judge ordered Chandler to the stand. Chandler said he had brought with him from Washington all documents dealing with Tolman's report on the New York juries.

He told the court that among the documents were preliminary drafts of the report, two reports of a committee of a judicial conference and correspondence from various court officials relating to the question of the jury system.

Chandler asked that the correspondence and preliminary drafts be treated as confidential matter.

To make these documents public, he claimed, would "militate against this office."

KEEPS PAPERS SECRET

"For your guidance," the court ruled, "I shall sustain the position of Mr. Chandler on the working papers and the preliminary drafts."

Sacher said he did not want working papers of the judicial conference, but papers sent to the administrative office by judges of the New York court. The judge put his foot down hard. "All details of administration of justice would be revealed to persons who would misuse them," the judge remarked, stating again the papers would remain secret.

"If the jury system is rotten," Sacher said, "no personal secrerries should stand in the way of exposing it."

Tolman was called back to the stand, but the court ruled out all questions by the defense concerning the witness' conversation with Judge Knox or any of the jury officials he interviewed.

The judge told the attorneys to hurry along and observed: "I am very clear now that Mr. Tolman had nothing to do with administration of this jury system."

Sacher, trying to quiz the witness concerning his knowledge of the jury setup, replied: "We charge there was a conspiracy to establish this discriminatory jury system. I am addressing my questions to establish that conspiracy."

The court stated any testimony of conversations between judges of the court and the witness would be "hearsay."

The court added he saw no conspiracy charge, but merely a challenge to the jury array charg-

ing "willful and deliberate discrimination."

"You said you would be shocked if you heard of discrimination," Sacher reminded the court.

"I said if there was willful discrimination against Negroes and Jews I would be shocked," the court replied.

"We are trying to prove that, but you won't let us," the lawyer declared.

Cross-examined by Assistant District Attorney Frank Gordon, Tolman said he never discovered any discrimination during his jury study.

But asked what he did to discover discrimination, the witness replied: "I did not do anything. I was not interested."

Q. Did you look for discrimination?

A. I did not look for it.

Sacher called Tolman back to ask another question.

The judge said: "The next time you leave the stand keep on going. They'll think up another question."

The court turned to Sacher and said: "He's your witness." Sacher replied: "You can have him, he's your witness." The judge answered: "I'll accept him with pleasure."

China

(Continued from Page 2)

Communists refused them permission to enter the city.

The government's "official peace mission"—named by Li and Sun Fo to "negotiate" with the People's Liberation forces on peace terms—was still standing by.

Still a third peace mission made up of six Shanghai civil leaders stood by to proceed to Peiping at a moment's notice. The People's Liberation radio said Peiping's mayor, Gen. Yish Chen-Ying, was prepared to receive this mission. But Kan Chia-hou who planned to accompany it with Shao Li-tze as an observer was declared persona non grata.

Mindszenty

(Continued from Page 3) tation of the treaty, as if the British government in the protection of fascists and anti-democratic elements would have the right to interfere in Hungarian affairs."

The Citizens' Democratic Party newspaper Vilag in an editorial called "The Fall of Mindszenty" described him as "a traitor" and "a tool of imperialists."

Tuesday's session will be the final act in the historic courtroom drama which began last Thursday with the cardinal's confession of guilt "in principle and in detail."

Rep. Somers Plans Fifth Column

WASHINGTON, Feb. 7.—Rep. Andrew L. Somers (D-NY) today threatened to set up a Fifth Column in Hungary. He cabled Deputy Premier Matyas Rakosi that if Cardinal Mindszenty is "murdered . . . I shall create within your country an underground movement which will mean the eventual destruction of your government as now composed."

Five Republican Senators sponsored a resolution calling on the Senate to condemn as "unjust" the arrest, imprisonment and trial of Mindszenty. It was introduced by Sen. Styles Bridges, N. H., and co-sponsored by Sens. Leverett Saltonstall and Henry Cabot Lodge, Jr. both of Massachusetts. H. Alexander Smith, N. J., and Charles W. Tobey, N. H.

In Memoriam

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trial and that these workers and their unions have been framed and unjustly fined and jailed through the operation of such undemocratic jury systems."

The ALP County Committee called on Federal Judge Knox to "direct the immediate abolition of the present jury system and to institute a fair, impartial and equitable system of jury selection which will be truly representative of all the people."

The court stated any testimony of conversations between judges of the court and the witness would be "hearsay."

The court added he saw no conspiracy charge, but merely a challenge to the jury array charg-

Ted Tinsley Says

The Hollow of the Newhouse

ONCE upon a time the writer, Edward Newhouse, was a left-winger. Now that the style in publishing calls for anti-Marxist intellectuals, he has rushed in to fill the gap. The gap is still there.

I have no intention of reviewing Newhouse's latest book, *The Hollow of the Wave*. Reviewers have already made it clear that neither the left nor the right has much use for Newhouse's perpetual adolescents, and I find it pathetic rather than tragic when a man tries to be a Koestler and fails. It would be tragic if he succeeded.

But I will join umpteen other reviewers in commenting on Newhouse's last sentence in which he leads with his chin. One of the two heroes looks at his pal and asks, "What are we doing here, you and I?"

Every reviewer repeated this question. Why should I be an exception?

You have to read the ending of this book to believe that someone printed it. Here you have Larry and Neil, nice neurotic boys, literary as all get-out. They're the modern novel's version of intellectuals. It's easy to spot an intellectual in a modern novel. He's the guy who hasn't got the vaguest idea of what he's doing or why he's doing it, who sees no excuse for living and no excuse for dying, and who makes love in great detail at various strategic points throughout the book. In a word, he doesn't know his elbow from third base.

The hallmark of that kind of intellectual is confusion. If you ain't confused, brother, you're dumb, and that's that.

BUT LET US GET back to our heroes, Larry and Neil. Where do we find them when the book mercifully closes? Why, in the Army, of course? Neil has stayed in the Army because he hasn't got the ghost of an idea what else to do. And Larry comes along just for the ride.

Has Neil risen in the ranks? Is he now a PFC or a corporal? Nay, he's much more confused than that. He's a colonel. Larry, however, is not quite as confused. He's only a major.

Now guess what we find on the walls of the little Army outpost's HQ where Neil and Larry would be solving all their problems if they had any idea of what these problems were? So help me, an original Picasso and an original Bracquel! Not reproductions, mind you, (that's middle-class stuff), but originals!

I put it up to the Army Chief of Staff right here and now. Can we win a war with the Newhouse Army?

When I was in the Army we had pictures a-plenty on the walls, and I can assure you that neither Picasso nor Bracquel painted girls in quite the style to which our fighting men, from buck privates to four-star generals, were accustomed.

Can you imagine the terror that is going to sweep through the enlisted men of that Newhouse outfit when they discover that the local brass has decorated the HQ with Picasso and Bracquel? I tell you, the problem of discipline and morals in that outfit is going to be practically insuperable!

After Larry and Neil asked each other what they were doing there, the Bracque probably turned to the Picasso and asked the same question.

Larry and Neil are, of course, the front and back doors of the Newhouse. I have a hunch that the doors might open to Monsignor Sheean's gentle knock. This Newhouse is a ripe plum if ever I saw one!

Music:

Maru Castagna Sings Carmen at Salmaggi

By Ben Levine

BERNARD SHAW about 60 years ago proposed that Bizet's *Carmen* be shelved in the big houses to give new operas a chance. Yet *Carmen's* blend of German harmony, Italian fluency and French vivacity has enabled it to weather three generations of changing musical taste.

Saturday night at the Brooklyn Academy of Music, *Carmen* was the vehicle for the presentation by the Salmaggi company of the Italian star, Maru Castagna, whose vitality, dramatic sense and beautiful voice prove that she can take her place among the great *Carmencitas* of the past.

The tenor, Frank Eckhart, also understood his part, but, one might say, he understood it too well. As Don Jose, the soldier who sacrifices his honor and gives up his village sweetheart for love of the gypsy Carmen, Eckhart acts well Jose's bewilderment and irresolution. But this irresolution crept into the very tones he sang. In his finest song, "La fleur que tu m'avais jetee," in which is expressed all of Jose's pathos, Eckhard portrays rather the pathos of a tenor struggling with a difficult aria. Even the rubber knife he held aloft to stab Carmen at the final curtain wobbled as he sang.

THE BEST THINGS of the evening were not the too well-known toreador song, which has been sung more vibrantly than Richard Torigi did Saturday night, nor Carmen's *Habenera*, but the Mr. Hugh Ross.

melodies of Jose's village sweetheart, Micaela, and the part singing of the gypsies, especially the quintet in the second act, by Miss Castagna together with Josephine Guido, Maria Pasca, Francesco Curci and Arthur Hutchins.

The smugglers' band was in the best tradition of that French music which provided the source for much of the Gilbert and Sullivan operettas.

The most prolonged ovation of the evening was won by Mollie Knights, as Micaela, who in a blue-black against the light blue mountain sky of the third act sang her aria with tender sweetness.

The orchestra, conducted by Gabrieli Simeoni, whose lethargy in the first half of the play seemed to

slow up the action and lead to those embarrassing pauses in conversation that mark a dull party,

bestirred itself toward the end to come through with a crashing climax.

The Tanglewood Alumni Association will present the American Music Festival on Saturday, Feb. 12, at 2 p.m. in the Sculpture Court of the Brooklyn Museum. Admission is free.

The program consists of compositions by Harold Shapero, Llysses Kay, Ned Rorem and Alan Hovhaness, all of whom have studied at the Berkshire Music Center. These works are to be performed by Tanglewood alumni, with intermission commentary by

Today's Films:

Crime Story and Stage Comedy Open on B'way Over Weekend

By Jose Yglesias

LOEWS' Criterion brought a semi-documentary melodrama to town Saturday that is, in a way, the ultimate in crime pictures. *He Walked By Night*, a Los Angeles police de-

He Walked by Night. Eagle-Lion Pictures. Produced by Robert Kane. Directed by Alfred Werker. Original story by Crane Wilbur. Screen play by John C. Higgins and Crane Wilbur. With Richard Basehart, Scott Brady, Roy Roberts, Whit Bissell. At Loew's Criterion.

partment case history, is the interesting story of the tracking down of a criminal. It does not bother with characterizations or motivations even of the simplest kind. The detective story is stripped and diluted of pretensions which one usually has to take with melodramas but in the process also of any resemblance to life or art.

The movie's plot is the working out of a mathematical formula. The audience sees the criminal at work and the police gathering the evidence. The unknown quantity is what will bring them together. It is a mechanical job: the rounding up of witnesses, the addition of many bits of evidence, even the creation of a composite picture of the criminal's face through group description.

THE SEMI-DOCUMENTARY form makes you feel for a while that you are being let in on the procedure of crime detection. And while the story is usually mildly interesting, it finally never convinces or achieves much suspense. It becomes possible — something

fatal to this kind of story—to lean back and watch it all coolly. The work of the police eventually equals the capture of the criminal and the formula is solved.

Richard Basehart, as the criminal, and the rest of the cast play their roles competently. But their work is not acting, for they have no characters to reveal. Their jobs are to attempt to look as natural as possible. However, what is natural behavior in such situations can only be discovered in the actions of real characters not of automatons. *He Walked By Night* is interesting in a formal, dehumanized way.

'John Loves Mary'

At the Strand

THE Strand has a pleasant little comedy in *John Loves Mary* that spends much of its time advertising the Strand Theater itself. Taken from the stage play of last season, it is not as adept on the screen, but it has

John Loves Mary. Warner Brothers. Produced by Jerry Wald. Directed by David Butler. From the play by Norman Krasna. Screen play by Phoebe and Henry Ephron. With Patricia Neal, Ronald Reagan, Jack Carson, Edward Arnold and Virginia Field. At the Strand.

retained enough of its wit to be better than most screen comedies. And that no doubt everyone realizes doesn't mean much.

John Loves Mary is one of those one-set plays in which the farcical complications come fast and furious because of some misunderstanding. In this one a belatedly

returned GI has married an English girl to bring her to his buddy in America who had lost her during the war. His buddy has meanwhile married and so the GI who has his own girl waiting for him is in a peculiar situation.

Since it is the rule in such plays that no one acts sensibly, the ironing out of this situation is the gist of the plot. Involved in it are a senator, a general, and the soldier's former lieutenant who is now and usher at the Strand. That they do not come off very well can't be put down to satire. The whole cast is equally foolish.

WHEN A PLAY does not succeed in being as successful on the screen as it originally was on the stage—as is the case with *John Loves Mary*—it is the custom to say that the screen is being ill-used. Tying the camera down to one set is supposed to be a crime against the film medium. The truth is that it is the film treatment that is usually at fault. The kind of timing and staging that makes a slight comedy like *John Loves Mary* funny on the stage becomes impossible in front of a camera determined on senseless movement and frequent close-ups. It breaks up the delivery of witty lines and destroys the staginess that makes the situation comical.

John Loves Mary, however, is not worth pegging such an argument on. It is pleasant enough and it introduces Patricia Neal, who was so fine on the stage in *Another Part of the Forest*. She is appropriately stony, as Jack Carson is appropriately outrageous. Virginia Field does a nice bit as a cockney and the others are competent.

Hollywood:

Notable Films on the Negro Unavailable for 'History Week'

By David Platt

WHY is it that of all the old films re-issued by Warner Brothers since the end of the war there's not been a single revival to my knowledge of *In This Our Life*, the Bette Davis-Olivia de Havilland film against Negro discrimination which was made in 1942.

One of the finest films on the Negro ever turned out by a major company, *In This Our Life*, featured the young Negro actor, Ernest Anderson, as a law student who is charged with a crime he did not commit. It was a dignified and truthful portrayal of a Negro caught up in the Jim Crow world in which he was trying to make his mark.

I will never forget the expression on Anderson's face in the scene in which he is explaining to Olivia de Havilland his reason for wanting to be a lawyer, and at the end of which he says:

"A white boy can take most any kind of job and can get to be a manager or a clerk, but a colored boy can't do that. He's got to figure out something no one can take from him. So he's got to work harder but I believe he's bound to get what he wants."

There was something in Anderson's voice as he spoke these lines that brought out a true feeling of Negro struggle and Negro achievement and it stirred one deeply.

And then later on we hear the tortured cry of the accused student's mother (played by Hattie McDaniels) in the scene where she tells Olivia DeHavilland that she expects nothing from the court if she testifies for her son: "What chance has a colored boy got? They never believe anything he says?"

In all the years that Miss Mc-

Daniels has been before the cameras this was the only time she was permitted to be her real self.

and star in a film based on the story of William Tell this summer.

Anatole Litvak, director of *The Snake Pit* and novelist Irwin Shaw conferring on the movie of *The Young Lions* . . .

Herbert Kline, director of *Forgotten Village*, has signed a contract with Bill Veeck, owner of the Cleveland Indians, for a documentary on the ball club . . .

The Boy With Green Hair, RKO's tolerance film, won the January movie-of-the-month award of Scholastic Magazine (circulation 700,000) . . .



PAUL MUNI

Starred in John Golden's new production of 'They Knew What They Wanted,' opening Feb. 16 at the Music Box.

Burt Lancaster plans to produce



By BARNARD RUBIN

WALTER WINCHELL (he's one of William Randolph Hearst's lapdog columnists — a sordid group among whom Victor Riesel has just found his rightful place) is now attacking the great Negro artist, Paul Robeson.

The hysterical one is trying to stop Robeson's European concert tour.

His line: After all, the European governments should be so-o-o grateful to the Truman Administration's anti-Communist policy that they shouldn't even dare permit an artist, who is not anti-Communist, within their borders. . . .

TOWN TALK

The same Walter Winchell, in his Monday column, with his usual disregard for facts, refers to Earl Browder, who is not even a member of the Party, as "the top Communist." . . .

The Nero Wolfe detective stories being peddled for a television series with Francis Sullivan suggested for the title role. . . .

Congratulations to Lester and Clare Rodney. Our sports editor and his wife had their second child yesterday—a boy named Raymond, all of eight pounds, three ounces.

That's the Liberty Book Club which is giving out that \$5 volume, *The Poetry of the Negro* (from 1769-1949), edited by Langston Hughes and Arna Bontemps as its March selection, in honor of Negro History Week. (The original item was typ'd to death here). . . .

Paul Muni, who will be seen again soon on Broadway in a revival of *They Knew What They Wanted*, served his apprenticeship in the old Yiddish theatre. One of the roles that brought him stardom there was that of a coal miner.

In the second act finale, he led a delegation to plead for higher wages from a flint-hearted mine owner, who threw him out, but got what he deserved in a rousing third-act climax.

One night Muni's entire family attended the show, and the young star put everything he had into the performance.

So eloquent, in fact, was his description of the starving wives and babes of the miners that, at the height of his plea, the actor who was playing the owner suddenly burst into tears and cried, "Stop! Stop! You're breaking my heart. Of course you can have a raise!"

They got the curtain down somehow or other, and the manager had to explain that just before the third act began the wicked owner had experienced another change of heart, and decided to lock the miners out after all. . . .

We hear a lot of stories about what actors have to put up with on the road. This one may not be exactly typical but it does have its points.

The particular actor we're thinking of went into a country hotel. "Can I have a room?" he asked.

The proprietress showed him a room.

"How much is it?"

"Five dollars."

"Have you something better?"

"Here's another one—with a basin. It will cost you six dollars."

"Have you something a little better?"

"There's one down the hall with a shower. That will cost you seven dollars."

"Just a shower? I'd like something better."

"I've got just the room for you. Here's a room that will cost you ten dollars because it's a room with an adjoining."

"With an adjoining what?"

"We don't know. We can't open the door."

Music Notes

The Performance of *Façade*, with words written and read by Dr. Edith Sitwell, and with music by William Walton, given recently at the Museum of Modern Art, is being transcribed and will be sold shortly on Columbia records, in eight sides, with proceeds for the benefit of the Museum.

The Juilliard Orchestra (Section 2) under the direction of Robert Shaw will be heard on Friday evening, Feb. 11 at 8:30 o'clock. The concert will be held in the Concert Hall, 130 Claremont Avenue, New York City. Admission to this concert is by invitation only.



Around the Dial:

Fred Allen Speaks His Piece

By Bob Lauter

ALTHOUGH it has been well over a week since Fred Allen appeared on NBC's *Living, 1949*, to say just what he thought was wrong with radio, and particularly radio humor, his remarks are still echoing.

Allen stayed in character by talking in a light vein, but it was obvious that he was deadly serious about everything he had to say. What he had to say about radio was far from complimentary.

In discussing radio humor, he complained that it had become purely mechanical, a belt-line operation. The comedian is nothing but "a mouthpiece for his writers." He talked of the strain and tension of preparing a comedy program under present conditions, and described the actors and writers standing around after such a session with "empty aspirin bottles and shaky hands."

TELEVISION, opined Allen, is no better, and the only standard it has set for itself is the rejected standard of the old vaudeville show.

Allen's remarks were certainly interesting and certainly to the point. But I found it impossible to hear them, or to read the discussion which they set off, without wondering about people in glass houses. Now I think that people in glass houses have as much, or



FRED ALLEN

as little, right to throw stones as anybody else. Allen threw some well-aimed stones, but he busted his own window in the process.

TO WHAT EXTENT, may I ask, has the Fred Allen show combatted any of these tendencies? To say that Allen launched a rather quixotic campaign against giveaways is hardly a defense. What did the structure, content, and

presentation of his show have that was in any way superior to other shows? He talked, for instance, of the terrible mechanization of comedy programs. A prime example of that mechanization was Allen's Alley or the later Main Street, both deadly dull devices in which the humor was made absurdly predictable by a set of characters who were static. Mechanical is certainly the word to describe them.

IN HIS CRITIQUE, Allen left out one charge against many radio comedy shows which could certainly be levelled at his own: the use of low and unprincipled appeals to the most backward chauvinist sentiments of an audience. I am referring in particular to his use of Jewish dialect "comedy." And what of Allen's appeal, on a Hearst level, to primitive jingoism, and his supine surrender to the current anti-Soviet hysteria as expressed through his Russian "character?"

In all fairness to Fred Allen, we must record his remark that television, which once drove people out of the saloons and back to their homes, is now driving them out of their homes and back to the saloons.

All in all, I was glad to hear Allen's forthright attack. No other glass-house resident has done as well in criticizing radio.

Books:

A Really Low - Priced Folk Song Book

By Lee Hays
(of People's Songs)

THE Kolbs wanted to "find a way to bring at least a part of the great wealth of American folk song within easy reach of the masses of American people."

That's what they have done. They have published a well-balanced collection of 91 songs, and the price is 25 cents. It's a book that will be sold on newsstands to be bought "along with your newspaper, toothpaste, or train ticket."

Thousands of persons who never saw a folksong before are going to, now. Thousands of people who could not buy the high-priced, scholarly anthologies are going to

Frankie and Johnnie and ninety others. *A Treasury of Folk Songs*. Edited by Sylvia and John Kolb. Bantam Books, N. Y. 25 cents.

buy this low-priced, scholarly collection. While Frankie and Johnnie can't carry all the information that a bigger volume can, it can do many things that the bigger books can't do.

THE MELODIES are simple and easy. Chord arrangements, of them done by Peter Seeger or People's Songs, are remarkably clean and easy for amateur singers to learn and follow. At least one of the newer anthologists which costs \$6.50 has been criticized for complex arrangements and dissonant effects which, while they may be a faithful reflection of the singers who supplied the music, are not easy for singers who come to the songs for the first time. And that \$6.50 book doesn't have many more songs than the Kolb's book and precious few, if any fighting people's songs.

For one of the most exciting things about the new Bantam book is that its readers are going to know the story of Joe Hill, of John Brown, and about the Union Maid and the Union Train she rides on, and about Jimcrow, and the slavery of our times. These songs do not get published in the big books.

But the Kolbs have seen that they are people's songs and belong in a book to be bought by so many thousands of people.

ALSO, THE BOOK offers good singing ballads of crime, unrequited love, of outlaws, and war, of cowboys and sailors, of workers, of laughing people and the blues of lonesome people; lullabies, dance songs, songs from the old world, and good hymns that belong to all the people.

Sylvia and John Kolb have done a thing that all singers and songwriters dream about: They've published a people's songbook. To help those whom the book will introduce to folk songs, they have included a first rate bibliography of books and recordings. Frankie and Johnnie deserves to be bought and used by everyone who wants to help build a people's culture.

Book Note

Fear, War and the Bomb: Military and Political Consequences of Atomic Energy, by Prof. P. M. S. Blackett, the 1948 Nobel Prize winner in Physics, will be published in this country by Whittlesey House on Feb. 14. The book was first published in England a month and a half ago, and it created immediate international interest.

P. M. S. Blackett also holds the American Medal of Merit, the

highest military honor given by the United States to civilians. "His brilliant analysis of operational data was a major factor leading to the Allied successes in the anti-submarine campaign," the citation stated.

Trained for the Royal Navy, the distinguished scientist served as an officer for five years at the time of the first World War. In World War II he was a key man in Britain's scientific war effort. In addition to developing the bombsight for the RAF and anti-aircraft techniques for the Battle of Britain, and to pioneering in operational research, Prof. Blackett was one of Britain's chief contributors to the development of the atomic bomb. He served as a member of the Advisory Committee on Atomic Energy until it was disbanded early in 1948.

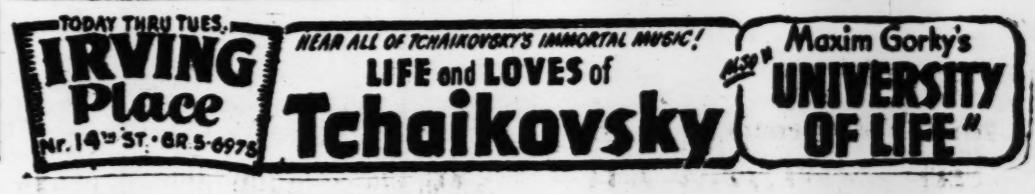
At the University of Manchester, Prof. Blackett has built up the largest school of cosmic ray research in Europe. His laboratory, run as a normal teaching department, has hundreds of students, more than 50 of whom are doing advanced research in several fields of physics.

Gregory PECK - Richard WIDMARK
Anne BAXTER
"YELLOW SKY"
A 20th Century-Fox Picture
ON STAGE DANNY KAYE

ROXY 7th Ave. & 50th St.



LAST TIMES TODAY: "SYMPHONY OF LIFE"
PREVIEW TONIGHT: "SECRET AGENT"



RADIO PROGRAMS

MORNING

11:00-WNBC—Do It Yourself
WOR—Prescott Robinson
WJZ—Jane Jordan
WNYC—NU Security Council
WCBS—Arthur Godfrey Show
WQXR—News; Alma Dettinger
11:15-WNBC—We Love and Learn
WJZ—Home with the Kinkwolds
WOR—Victor H. Linclahr
11:20-WNBC—Jack Bern
WOR—Gabriel Heatter Mailbag
WJZ—Ted Malone
WCBS—Grand Slam
WQXR—UN Newsreel
11:45-WNBC—Lora Lawton
WJZ—Galen Drake
WCBS—Rosemary
WQXR—Violin Personalities

AFTERNOON

12:00-WNBC—Charles F. McCarthy
WOR—Kate Smith Speaks
WJZ—Welcome Travelers
WCBS—Wendy Warren—Sketch
WNYC—Midday Symphony
WQXR—News; Luncheon Concert
12:15-WNBC—Metropolitan News
WOR—Kate Smith
WCBS—Aunt Jenny
12:30-WNBC—Brokeshire
WOR—Answer Man
WJZ—Maggi McNeills
WCBS—Helen Trent
1:00-WNBC—Mary Margaret McBride
WOR—Luncheon at Sardi's
WJZ—Party Time
WCBS—Big Sister
WNYC—String Music
WQXR—News; Midday Symphony
1:15-WJZ—Nancy Craig
WCBS—Ma Parkins
1:30-WOR—Hollywood Theatre
WCBS—Young Dr. Malone
1:45-WCBS—Guiding Light
WJZ—Dorothy Dix
2:00-WNBC—Double or Nothing
WOR—Queen for a Day
WJZ—Breakfast in Hollywood
WCBS—Second Mrs. Burton
WNYC—Music from the Theatre
WQXR—News; Record Review
2:15-WCBS—Perry Mason
2:30-WNBC—Today's Children
WOR—Passing Parade
WCBS—Bride and Groom
WQXR—Curtain at 2:30
2:45-WNBC—Light of the World
WCBS—What Makes You Tick
WQXR—Musical Specialties
3:00-WNBC—Life Can Be Beautiful
WOR—Movie Matinee
WJZ—Ladies Seated
WCBS—David Harum
3:15-WNBC—Ma Perkins
WCBS—Hilltop House
3:30-WNBC—Fepper Young
WJZ—House Party
WOR—Best Girl
WCBS—Don Ameche

RADIO HIGHLIGHTS

Tuesday, February 8
6:30 PM—Herb Shriner, WCBS.
8:00 PM—Music for the Connoisseur, WNYC.
8:30 PM—America's Town Meeting, "Do We Need a New Approach to Peace?" WJZ.
9:00 PM—Bob Hope Show, WNBC.
9:30—Fibber McGee and Molly, WNBC.
9:30—Morey Amsterdam Show, WCBS.
9:45 PM—Detroit Symphony Orchestra, WCBS.
10:30 PM—Mr. Ace and Jane, WCBS.
11:30 PM—Deems Taylor show, WOR.

TELEVISION

8:30 PM—America's Town Meeting, WJZ-TV.
9:00 PM—We, the People, WCBS-TV.

WNYC—Music of Theatre
WQXR—Stringtime
3:45-WNBC—Right to Happiness
4:00-WNBC—Backstage Wife
WCBS—Hint Hunt
WJZ—Kay Kyser
WNYC—Disk Date
WOR—Barbara Wells
4:15-WNBC—Stella Dallas
4:30-WNBC—Lorenzo Jones—Sketch
WOR—The Ladies' Man
WJZ—People—Patt Barnes
WCBS—Robert Q. Lewis
4:45-WNBC—Young Widder Brown
5:00-WNBC—When a Girl Marries
WCBS—Galen Drake
WOR—Straight Arrow
WJZ—Green Hornet
5:15-WNBC—Portia Faces Life
WQXR—Modern Rhythms
5:30-WNBC—Just Plain Bill
WJZ—Jack Armstrong
WCBS—Hits and Misses
WOR—Captain Midnight
WQXR—Cocktail Time
5:45-WNBC—Front Page Farrell
WOR—Tom Mix

EVENING

6:00-WNBC—Kenneth Banghart

WMCA—570 Ke.
WNBC—660 Ke.
WOB—710 Ke.
WJZ—770 Ke.
WNYC—830 Ke.

WINS—1000 Ke.
WEVD—1130 Ke.
WCBS—880 Ke.
WNEW—1180 Ke.
WLIR—1190 Ke.

WHN—1050 Ke.
WBNY—1450 Ke.
WOV—1290 Ke.
WQXE—1500 Ke.

WPN—Lyle Van
WJZ—Joe Hazel
WCBS—Eric Sevareid
WQXR—News; Music to Remember
WNYO—Music on the Wing
6:15-WNBC—Bill Stern
WOR—On the Century
WJZ—Ethel & Albert
WCBS—Talks

6:30-WNBC—Ray Rodel Songs
WOR—News
WJZ—Edwin C. Hill
WCBS—Herb Shriner
WNYC—Recorded Music
WQXR—Dinner Concert

6:45-WNBC—Three Star Extra
WOR—Stan Lomax
WJZ—Allen Prescott
WNYC—Weather; City News
WCBS—Lowell Thomas

7:00-WNBC—Supper Club
WOR—Fulton Lewis, Jr.
WJZ—Headline Edition
WCBS—Beulah

7:15-WNBC—Masterwork Hour
WQXR—News; Keyboard Artists

7:30-WNBC—News of the World
WOR—Answer Man
WJZ—Elmer Davis
WCBS—Jack Smith Show

7:30-WNBC—Hollywood Theatre
WOR—A. L. Alexander, Poems
WCBS—Club 15

7:45-WOR—Counter-Spy
WQXR—Music Quiz

8:00-WNBC—This Is Your Life
WOR—George O'Hanlon
WJZ—Youth Asks the Government
WCBS—Mystery Theatre
WQXR—News; Symphony Hall

8:15-WJZ—Earl Godwin

8:30-WNBC—Alan Young Show
WOR—Share the Wealth—Quiz
WJZ—America's Town Meeting
WCBS—Mr. and Mrs. North, Play

9:00-WNBC—Bob Hope
WOR—Gabriel Heatter
WCBS—We the People
WQXR—News; Concert Hall
WNYC—Record Hobbyists

9:15-WJZ—Detroit Symphony Orchestra

10:00-WNBO—Big Town—Play
WOR—Let's Play Games
WCBS—Hit the Jackpot—Quiz
WNYC—Municipal Concert Hall
WQXR—News; The Showcase

10:30-WNBC—Mr. Ace and Jane
WNYC—People Are Funny
WJZ—It's In the Family
WQXR—Just Music

11:00-WNBC—Kenneth Banghart

Ask Dewey to Confer On Death of Negro

Officers of the Bronx American Labor Party yesterday asked Governor Dewey for an interview to discuss the death of John Ferrell in an Albany jail. A wire to Mayor Erastus Corning of Albany made the same request, and demanded a special investigation of the circumstances of the Negro's death.

CROSSWORD PUZZLE

HORIZONTAL

1-Sweet potato	2	3	4	5	6	7	8	9	10	11
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44	45		46		47		48	49	50	
51		52					53			
54		55					56			

45-Vast age
46-To compete
47-To regret
48-To devolve
49-To regret
50-Devolved
Answer to Friday's Puzzle:
SAND PAIL BAR
SEA NATE ALE
CHARNE EIGHED
TEE TERRICE
AWE DRA VIA
WAS SALAAM PI
ANT OMEL PER
YE EMPIRE ARE
OWE TARIID
BABE SHEARS
AMERICA DINAR
LIS PACA SIDE
ERE ORAL EPOS

Daily Worker Screen Guide

• Tops
• Good

MANHATTAN

First Run—Broadway

AMBASSADOR—My Last Mistress; Woman of Evil
ASTOR—Enchantment
AVENUE PLAYHOUSE—Monsieur Vincent
BIJOU—The Red Shoes
ELYSEE—Grand Illusion
FULTON—Joan of Arc
GLOBE—Lucky Stiff
GOTHAM—Unavailable
LITTLE CARNEGIE—Mr. Parrin and Mr. Trail
LITTLE CINEMATHEQUE—Henry V
MAYFAIR—Wake of the Red Witch
MUSEUM OF MODERN ART—Story of Greta Garbo
NEW EUROPE—Affection for Everybody; Hungarian Symphony
NEW YORK—Strange Mrs. Crane; Mark of the Lamb
PALACE—So Dear to My Heart
PARAMOUNT—My Own True Love
PARIS—Symphonie Pastorale
PARIS AVENUE—Hamlet
RADIO CITY MUSIC HALL—Letter to Three Wives
PIX—Unavailable
RIALTO—Beauty and the Beast; Dead of Night
ROXY—Yellow Sky
STANLEY—Symphony of Life
STRAND—John Loves Mary
VICTORIA—Jean of Arc
WORLD—Alisan
5TH AVENUE PLAYHOUSE—What's on Your Mind
5TH ST. PLAYHOUSE—Monsieur Vincent

East Side

IRVING PLACE—Life of Tolstoy; University of Life
TRIBUNE—Julia Misbehaves; Ruthless
ART—Place of One's Own
CHARLES—Sitting Pretty; Phantom of the Opera
ACADEMY OF MUSIC—Fighter Squadron; Decision of Christopher Blake
CITY—I Know Where I'm Going; Mikado
GRAMERCY PARK CINEMA—Nanook of the North
5TH ST.—Walk a Crooked Mile; Gallant Blade
TUDOR—June Bride; The Smugglers
RKO PROCTORS 58TH ST.—Road House; Ideal Husband
BEVERLY—Jenny Lamour; Francis the First
52ND ST. TRANSLUX—Song is Born
NORMANDIE—Lovers of Carmen
PLAZA—Three Musketeers
ARCADIA—Furia; Woman in the Night
TRANSLUX 80TH ST.—Chips Are Down
YORK—June Bride; The Smugglers
TRANSLUX 72ND ST.—Take My Life
6TH ST. PLAYHOUSE—June Bride
TRANSLUX MONROE—Walk a Crooked Mile; Gallant Blade
TRANSLUX COLONY—June Bride; The Smugglers
85TH ST. TRANSLUX—June Bride
RKO PROCTORS 88TH ST.—Behind Locked Doors
86TH ST. GRANDE—Lifeboat; Eve of St. Mark
GRACIE SQUARE—Three Musketeers; Mickey

West Side

WAVERLY—Maria Malibran; Blood Red Rose
8TH ST. PLAYHOUSE—Regent Regiment
GREENWICH—Phantom of the Opera; All Baba and the Forty Thieves
ELGIN—Julia Misbehaves; Ruthless
RKO NEW 23RD ST.—Behind Locked Doors
TERRACE—Walk a Crooked Mile; Gallant Blade
RKO COLONIAL—Behind Locked Doors; Michael O'Halloran
SAVOY—Walk a Crooked Mile; Gallant Blade
BELWYN—Phantom of the Opera; All Baba and the Forty Thieves
LYRIC—Miss Tatlock's Millions; Night Has Thousand Eyes
TIMES SQUARE—Darling Young Man; Ghost Town Rhapsody
APOLLO—Four Steps in the Clouds; Silence is Golden
NEW AMSTERDAM—Decision of Christopher Blake; Fighter Squadron
LAFFMOVIE—The Day the Bookies Went
BRYANT—It Had to Be You; Unsuspected
SQUIRE—Tragedy Hunt; Book Streets of Paris
BELMONT—El Hombre que las Enamora; La Dovadora
TIVOLI—Walk a Crooked Mile; Gallant Blade

ATTENTION

In view of the fact that RKO has agreed to negotiate new contracts with the Screen Office and Professional Employees Guild and the Screen Publicists Guild, the listing of RKO theatres in the Movie Guide has been resumed. Since Loew's management continues to stall on negotiations, Loew theatres remain unlisted same as before. Readers are urged to keep on protesting both to local theatre managers and to Loew's, 1540 Broadway, N.Y.C., demanding immediate negotiations with the union.

BROOKLYN—Downtown

STRAND—Strike It Rich
FOXTROT—Man from Colorado
MAJESTIC—Forbidden Adventure; Killis of the Sea; Cobra vs. Mongos
MOMART—Key Witness; Falcone Adventure
RKO ORPHEUM—Behind the Eight Ball; Crazy House
ST. GEORGE PLAYHOUSE—Three Musketeers
TERMINAL—Kiss of Death; Homestretch
TIVOLI—Blood on the Moon; One Touch of Venus
RKO PROSPECT—Behind the Eight Ball; Crazy House
CARLETON—Blood on the Moon; Glamor Girl
SANDERS—Blood on the Moon; Gentleman from Nowhere
BELL CINEMA—Without Reservations; High Seas

BEDFORD—Foreign Correspondent; Trade Winds

NATIONAL—Revenge; Fisherman's Wharf

SAVOY—Crazy House; Behind the Eight Ball

CARROLL—Red River; So This is New York

CROWN—She; Last Days of Pompeii

CONGRESS—Red River; So This is New York

ROGERS—San Francisco; Little Iodine

STADIUM—Rogues Regiment; Saxon Charm

CROWN HEIGHTS—Blood on the Moon; One Touch of Venus

CROWN—Hairy Apes; Wolf Man

CONGRESS—Julia Misbehaves; Ruthless

RKO REPUBLIC—Behind the Eight Ball; Crazy House

STADIUM—Crazy House; Behind the Eight Ball

FLATBUSH—Blood on the Moon; One Touch of Venus

CARROLL—Blood on the Moon; One Touch of Venus

ELM—Don't Take It to Heart; Waterloo Road

AVALON—Three Musketeers; Mickey

AVENUE D—Song is Born; The Pearl

AVENUE E—Song is Born; The Pearl, Sun: Red River

BEVERLY—San Francisco; Caribbean Mystery

CLARIDGE—Blood on the Moon; One Touch of Venus

COLLEGE—When My Baby Smiles at Me; Jungle Patrol

ELM—Don't Take It to Heart; Waterloo Road

FARRAGUT—Blood on the Moon; One Touch of Venus

FLATBUSH—Golden Earrings; Relentless

GRANADA—Julia Misbehaves; Ruthless

JEWEL—Duke of West Point; King of the Turf

KENT—When My Baby Smiles at Me; Jungle Patrol

KINGSWAY—Rogues Regiment; Saxon Charm

LEADER—Don't Take It to Heart; The Smugglers

LINDEN—When My Baby Smiles at Me; Jungle Patrol

MARINE—Three Musketeers; Mickey

MAYFAIR—High Seas; Matinee Scandal

NOSTRAND—Julia Misbehaves; Ruthless

PARKSIDE—The Search; Night at the Opera

PATIO—Three Musketeers; Mickey

On The Scoreboard

By Lester Rodney

To continue, and conclude, on my vote of ten players for admission to baseball's Hall of Fame. Yesterday I dealt with Mel Ott, Hank Greenberg, Jimmy Foxx, Al Simmons and Dizzy Dean. Now for the remaining five.

My sole Brooklyn entry is pitcher Dazzy Vance. For those younger than thirty he is just a vague name. For us old men of Brooklyn he was the magic figure of the '20's who every fourth day transformed us from loyal followers of a mediocre second division team to proud and derisive jesters at futile enemy batters.

I am one of the stubborn, misguided ones who insists that nobody since Vance threw a more tremendous fast ball, and I include such propellers of the spheroid as Dean, Grove and Feller. The Dazzler was a giant of a man, standing 6 foot 4 and weighing around 230. He uncoiled in a majestic sweeping motion and came straight down overhand. He overpowered the best hitters of his day. For seven straight years he led the National League in strikeouts. Three times he fanned 15 batters in a single game. Once he whiffed 17 Cards in a memorable 10-inning game which he won himself 1-0 with one of his rare home runs.

In 1924 he hurled a fair collection of players to the brink of a pennant with a 28-6 year during which he won 15 in a row and the opposition often threw in "concede" second string pitchers. He pitched a no hitter in '25 four days after missing the perfect game by a fluke first inning single, pitching to only 27 batters. He had control with his speed and he had an explosive curve coming out of the same motion which he often threw over with the count two strikes and no balls, disdaining a waste pitch. With second division teams he also won 22 and lost 9 in '25 and in '28 chalked up 22-10. He was a tremendous pitcher who rarely got the support at bat or in the field he rated. He gets my vote.

NOW WE COME to one I never liked, for many reasons. As a manager his cold arrogance toward both players and writers won him the "popularity" he deserved. But if we're talking about ballplayers we have to put Bill Terry of the New York Giants on an honest ballot. When you get a remarkable fielding first baseman who does everything a little better than perfectly and hits well enough to go over the .400 mark (in 1930), well....

His big year was no flash in the pan. Some of his other season's averages were .372, .354, .359, and .341. He played in 486 consecutive games and some day he never made a mistake. My sharpest memory of him is killing intended Brooklyn sacrifices by swooping in relentlessly for the bunt and firing with precision for the force. He was good. No question.

NEXT TO OTT, the National Leaguer who compiled the most awesome collection of modern statistics must be Paul Waner, the superb "Big Poison" of the Pittsburgh Pirates. He collected a lifetime total of 3,152 hits, scored 100 or more runs nine times, cracked out more than 200 hits eight seasons. He led every department at various times, including three batting titles. He went six for six. He was a fleet rightfielder with deadly range and good arm. When he stepped to the plate your mind formed the image of the long line drive to right and right center.

One day when he was taking a little extra nourishment during a ball game he had rapped out three straight doubles. The ump behind the plate noticed his pilgrimage off the field of play before his fourth appearance at bat and gave him a warning censure as he stepped up. Paul returned exhaled, nonchalantly in the ump's face and cracked the first pitch up against the

wall for a record breaking fourth double. This however, is not recommended procedure.

OVER TO the American League for our final two. One is Bill Dickey, the long Yankee catcher who played such a mighty role in the five straight flags of the '30s. To many he is the top all around catcher ever. To me he was certainly the best I saw around since 1920 when I started looking, and this does not in the least disparage the caliber of Mickey Cochrane. I don't think many will argue the choice.

CHARLEY GEHRINGER of Detroit was the Joe DiMaggio of second basemen. So easy and so fluent was he fielded that like Joe he "made the hard ones look easy." For sheer poetry of motion around the keystone there hasn't been his like in the modern era. And just as quietly he was a savage belting left-handed hitter who was always around the .350 mark and three times over it. Among his big days are listed 111 putouts in one game, and three triples. But he was superb practically every day. In his quiet way.

That's the ten I voted for.

AL JUMPS TO 199 GAMES AT NIGHT

CHICAGO, Feb. 6 (UP).—Led as usual by the Washington Senators, American League baseball teams will play an all-time high number of 199 night games next season, it was revealed today in the official schedule.

Results, Entries, Als' Picks

HIALEAH RESULTS

FIRST—3 furlongs; maiden, 2-year-olds; \$1,300.

Baby Comet 10.60 6.30 3.50

One Rose (McCoy) 8.30 4.80

Invariant (Anderson) 2.60

Also ran—Not Me, Irish Daughter, Gertrude's Last, Garden Week, Early Heath,

Double Dared, Pitiful Fire, Cincy Miss,

x-Local Sea, "Gay Melody," Our Frances.

Time—:33 3-5. *Field.

HIALEAH DAILY DOUBLE PAID \$171.00

THIRD—6 furlongs; maidens, 3-year-olds; \$3,000.

Kn't Cross (Civitello) 4.20 3.00 2.40

Sonofun (McLean) 7.10 4.90

Strutaway (Fernane) 7.60

Also ran—Mr. Fox, Crew Cut, Bleury Street, Excelsior, Raucous, Pusileer, Alphonse, Successor, Red Plate. Time—1:11 4-5.

(Winner Picked by Al)

FOURTH—7 furlongs; claiming; 4-year-olds and up; \$3,000.

Sunnip (Schreck) 12.20 7.30 6.10

Bill Hawk (Combest) 17.90 9.50

Dry (Gilbert) 14.60

Also ran—Darten, David T., Rose Canyon, Dove Shoot, St. Lo, Big Chris, Kantar Run, Plaidloch, Lesonian. Time—1:53.

HIALEAH DAILY DOUBLE PAID \$171.00

WINNER PICKED BY AL

FIFTH—7 furlongs; allowances; 3-year-olds; \$3,500.

Sub (Anderson) 3.40 2.30 2.20

Weeping Willow (A'son) 2.50 2.20

Solid Trick (Stout) 2.70

Also ran—Dainty Maid, Dizzy Whirl, Latest Vogue. Time—1:24 1-5.

(Winner Picked by Al)

SIXTH—7 furlongs; allowances; 4-year-olds and up; \$3,500.

Allie's Pal (Civitello) 5.70 3.80 2.60

Nance's Ace (Gonzalez) 2.70

Also ran—Vaudeville, Romanette, Whirl Top. Time—1:23 3-5.

(Winner Picked by Al)

SEVENTH—1 1-8 miles; allowances; 4-year-olds and up; \$3,500.

Quemadito (Robertson) 285.20 68.60 10.60

Priar Tuck (Gilbert) 4.90 3.80

Curvaceous (Stout) 4.90

Also ran—Myrmidon, Barrage, All in Fun, Petrol Point. Time—1:51 3-5.

(Winner Picked by Al)

EIGHTH—1 1-4 miles; claiming; 4-year-olds and up; \$3,000.

Jingle Jangle (Civitello) 9.30 4.60 3.00

Madescarlett (B'heller) 5.20 3.00

First Draft (Strange) 2.60

Also ran—His Daughter, Shadow Spot, Sings, Be Ready, Vinsfurlough and Napano. Time—2:04 1-5.

(Winner Picked by Al)

AL'S SELECTIONS on back page (in two star edition only).

A. L. Leaps Toward Nite Games Only During Week

Ball players who don't like to stay out late will find life in the major leagues increasingly tedious this year because there will be 378 night games—an all-time high.

The American League schedule, officially announced yesterday, lists 199 after-dinner contests and there will be 179 in the National League.

Additionally, clubs in both leagues probably will re-schedule early season day games which are postponed as night games later on.

The total of 378 represents a shade more than 30 per cent of the 1,252 games which will be played in the majors this year—an astounding figure when it is taken into consideration that 324 games are Sunday and holiday fixtures when afternoon play is a must.

That leaves for the traditional backbone of the schedules just 530 weekday afternoon games, 283 in

the National and 247 in the American.

Club owners defend their increasing use of night baseball, saying the customers prefer it. And the substantially higher percentage of attendance apparently makes the arrangement mandatory, particularly in such cities as St. Louis, Washington and Philadelphia where crowds are not consistently large in the first place.

As usual, Washington tops the night game parade in the American League with 41 of their 77 home contests scheduled for after dark. But the St. Louis Cardinals in the National, previously announced they would play 43 night games—tops for both leagues.

Possibly presaging a time when all except Saturday, Sunday and holiday games will be played at night, most of the clubs in both leagues took advantage of new legislation which requires all visiting teams to play a certain number of night games which requires all visiting teams to play a certain number of night games if the home team demands it.

The Yankees, Red Sox and Tigers continue to oppose more

MODERNS ALREADY IN HALL OF FAME

Ballplayers of the "modern era" (those who could be considered this year) already in the baseball Hall of Fame are: Grover Alexander, Ty Cobb, Mickey Cochrane, Frank Frisch, Lou Gehrig, Lefty Grove, Rogers Hornsby, Carl Hubbell, Walter Johnson, Herb Pennock, Babe Ruth, George Sisler, Tris Speaker, Pie Traynor. The rest of the 55 predate the 20.

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JOE DiMAGGIO can buy a lot of baseballs for Joe, Jr. with that all-time high salary signed with the Yank front office yesterday. Or does junior's wide-eyed hug speak for itself?

Must Beat Us, Says McCarthy

White stopping over in New York for the recent Baseball Writer's dinner, Boston Red Sox pilot Joe McCarthy agreed that the '49 American League pennant race will see his club as the big one the Indians and Yankees will have to get by.

While not flatly predicting a flag for the Red Hose, McCarthy nonetheless remarked that "the club that wins will have to beat us."

"I'm not at all worried about the Red Sox," Joe said confidently. "I think we were as good as any club in the league at the close of last season, and with some of our younger players coming along and good crop of rookies coming up, we should be better this year."

Even first base may be a pleasant surprise. Billy Goodman came along fast late last season after being installed as regular guardian of the initial sack. And McCarthy is keen on the prospect of huge Walt Dropo, who had a trial a year ago but was farmed out to Louisville and Birmingham, Ala. The towering rookie hits that valuable long ball. If he improves this year as he did the past season, Dropo has a good chance of sticking," Joe said.

The big "if" is the mound corps.

AL'S SELECTIONS

- 1-The Tyke, Jelirab, Bowled Over
- 2-Lucky Year, Royal Pigeon, Abbe's First.
- 3-Stratojet, Dawn O'Peace, Eternal Danger.
- 4-Concrete, Local Band, Silverling.
- 5-Rare Jewel, First Citizen, Whirltown.
- 7-Brezno, Chalvaal, Westgate Blvd.
- 8-Air Patrol, Yesnow, Best Effort.

Yank Ace Gets \$90,000 Contract

Joltin' Joe DiMaggio, the lanky Yankee with the wide stride, yesterday signed a spectacular salary contract for approximately \$90,000, making him the highest paid player in the club's history. In a significant ceremony on the 55th birthday of Babe Ruth, the greatest Yankee of them all, DiMaggio signed the one-year agreement which topped the best money Ruth ever made in a single season by at least \$10,000.

DiMaggio, who replaced Ruth as the Yankee home run king and box office magnet, came to terms with president Dan Topping and general manager George Weiss after a morning conference that lasted an hour and a half. It was the third discussion that had been held and DiMaggio hit the biggest homerun of his life.

"I'm very happy about the whole thing," he said. "This is by far the best contract I ever had."

Topping beamed too, admitting that his good humor was a little expensive.

"We are both very happy and all I can tell you is that Joe got a darned good raise over last year," he said.

He indicated that DiMaggio's flat salary topped any similar deal ever made by a major league ball club in the past, although the Pittsburgh Pirates were reported to have paid Hank Greenberg \$100,000 in salary and bonus for his one year with the team in 1947.

DiMaggio, signing his 11th contract with the Yankees, made about \$70,000 last season. Arthur (Red) Patterson, the Yankee secretary, read the list of DiMaggio's past contracts, starting with the \$7,500 he made when he broke in with the club in 1936. Patterson said that including World Series proceeds, DiMaggio had made a grand total of \$386,559.20 before signing his current contract.

DiMaggio said he had recovered entirely from an operation on his heel to remove a bone spur last November and that for once "I have no aches or pains."

He said he would leave today by plane for Acapulco, Mex., to do some deep sea fishing.

Regarding the pennant race, DiMaggio said that he figured Boston and Cleveland were the teams the Yankees would have to beat and he rated them about equal in strength. Boston, he said, had better hitting but Cleveland was a little better balanced.

DiMaggio, who hit 39 home runs and batted in 156 runs for one of his greatest seasons a year ago, also got 26 doubles and 11 triples making him one of the most consistent extra base slugger in the majors.

Tommy Henrich, DiMaggio's outfield mate, also conferred with Topping and Weiss, but failed to reach an agreement on his 1949 contract. Henrich will meet with the Yankee bosses again on tomorrow.

He said Cooper was "completely recovered" from a knee operation

ment for the winners, although mates Walker and Dilworth with 14 and 10 points respectively, paced the shooters.

Local 125 knocked off Local 70 in the opener 35-30 to stay atop the league standings with its fourth straight win. Herb Blitzer blitzed the losers with 15 points, while Joe Denkus' 13 was high for the defeated five.

LABOR STANDINGS

	W	L
Local 125	4	0
Fur Joint Board	3	1
Local 101	2	1
Local 6	1	2
Local 70	1	3
Local 19	1	3
Local 1	0	3

In This Corner...

By Bill Mardo



THUMBING THROUGH THE CALENDAR . . .

A DILLY OF a week, this, for sports. . . . Let's thumb thru the calendar, hm? . . . The well advertised Don Lee sounds worth seeing tomorrow at T of C's fourth New York promotion. Don's the cornhusking middleweight who twice trampled over Vince Foster . . . same nite the local hoopers wend their welcome way back onto the Garden hardwood . . . 24 hours later it comes up Pep vs Saddler and say no more . . . while the NYAC track Tarzans close it out Saturday evening. . . .

Taking events in order now: Lee, no chick at 28, is touted topnotch in the body-banging department. Rolled up a streak of 20 straight before tall and skinny J. T. Ross stopped him in 10. Included in Lee's win streak is a draw, decision, and knockout over Foster, the young man who evoked ecstatic raves here a few weeks back with his ironing job on Tony Pellone . . . "I can beat Foster every night in the week," says Lee. It would almost seem that way off his record over Jack Hurley's pride and joy. And it would bear out this department's cautious impression of Foster. I still say the young man will look slightly less than spectacular against an accomplished hitter. . . .

No, I wouldn't rate Charlie Fusari as the man to prove my point two Friday's hence. The blond Jerseyite is a badly overrated fighter . . . and much easier to be hit than Foster. But getting back to Vince's nemesis, the man named Lee, he'll be taking on Walt Cartier tomorrow. Brother Cartier I've never caught in action. He has an interesting record, 10 out of 23 by kayoes . . . and sounds competent enough to give one a line on Lee. . . .

MOVING UP TO basketball that some nite, and the NYU-Manhattan feature figures to be a good one. The Violets' lopsided loss to Duke is incentive for the Jaspers to sharpshoot an upset. Give Kelly and Byrnes a good night and they'll be trouble for the best of them. On the other hand, one more defeat would send NYU reeling out of the tourney picture. Obvious conclusion is a good game in the offing, wouldn't you say? . . .

UNDERSTAND THE SPECS are asking—and getting—\$30 for ten-dollar ringside seats to the Pep-Saddler return Friday night. This is like old times one can do without . . . but it does give you idea of the interest in the featherweight title tilt. . . . And whatever became of those silly ideas Pep would be favored?

Wee Willie's two uninspired wins over a couple of mediocrities has done nothing to foster the belief that he's not over the hill yet . . . Saddler's five slashing triumphs since last October, however, has convinced the skeptics that here's a young man who will earn the same immortality that went Pep's way when he had it. Sandy's wins (four by knockouts) were fashioned the hard way . . . spotting weight to full fledged lightweights and the gargoylish mess he made of Terry Young only boldfaced the exclamation mark indelibly printed on Pep the night he was counted out in the fourth round.

ONE MORE FISTIC item to be dealt with, this from last week's calendar. Has to do with Freddie Dawson's sixth-round koy of brilliant Bernard Docusen. Now Dawson is the young Chicago boxer-puncher who compelled us to write rave notices that night five years ago when we caught him in a Garden prelim. But after the auspicious beginning here, he went back to the midwest for the bulk of his campaigning. Not long ago he almost edged Ike Williams. I believe it was a split decision that went against him. Dawson came back east a half-year ago and gave the same evidence of all-round brilliance. But Freddie fought in spurts that night and left the local clientele somewhat confused about his stature.

So last Friday night he went against Docusen. The same "Duke" who gave Ray Robinson such a brilliantly close time of it last year. Docusen is a blindingly fast boxer without a punch. Never before flattend. Dawson outboxed him in the early frames, sensed he was master, and then tore into the New Orleans flash. Knocked him out in the sixth with a barrage of quick overhand rights. All of which finds Freddie firmly saddled atop the leading contention lists in both lightweight and welter divisions.

Robinson had to fight like the blazes to insure a decision over Docusen. Dawson knocked Bernie out. Does this mean that Dawson is superior to Sugar Ray? No, friends. But it does prove again that Ray Robinson is a seriously weakened fighter whenever he drops down to 147 pounds. With Tony Zale stupidly demanding his guaranteed return against Marcel Cerdan, it does look as though Robbie is to be frozen out of the middleweight picture a little while longer. And thus feels compelled to hang onto his bread and butter, meaning the welter title. To keep it, Ray has to defend it within the allotted allowed by the NBA. So you can bet he'll kill himself again getting down to 147 against Kid Gavilan.

For his own health, Robison would best make a vital decision concerning his welter bauble. I'd say, give it up Ray, regardless of what cooks in the middleweight ranks. . . .

IT WOULD BE too bad if Gaston Rieff's burst blister doesn't mend in time for Saturday night's NYAC meet. The two-mile race would fall flat without the bald-headed Belgian. Running without one shoe the last three laps in Boston, Rieff still managed to force Erik Ahlden to the best clocking since Greg Rice's heyday. What I meant last week when I said it's a sure thing Rice's mark will be busted before Rieff returns home. . . .

Council 5 Upsets Board, 125 Atop

The Furriers Joint Council labor hoopsters fashioned a 46-32 upset Saturday night to stop the Joint Board win streak at Seward Park High School court.

Big factor in the Trade Union Basketball League game was the Council's Dilworth handcuffing sharpshooter, Ralph Krichlow to five points.

Ben Weiss, player-coach, sparked in the playmaking depart-